53
february 1959
general
and legal

european
broadcasting union

e.b.u. review

sound and television broadcasting news

THE E.B.U. REVIEW

which appears in separate English and French editions, is published in February, April, June, August, October and December.

It consists of two parts :

Part A (Technical), published by the Technical Centre of the E. B. U., 4, rue de la Vallée, Brussels, Belgium.

and

Part B (General and Legal), published by the Administrative Office of the E. B. U., 1, rue de Varembé, Geneva, Switzerland.

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SALE AND SUBSCRIPTION TERMS

Part A : Single issue - 30 Belgian francs ; annual subscription - 150 Belgian francs (6 issues).

Part B : Single issue - 3 Swiss francs ; annual subscription - 15 Swiss francs (6 issues).

Parts A and B : Annual subscription to both parts (12 issues) - 300 Belgian francs or 27 Swiss francs.

These prices include postage by surface-mail. A discount is allowed to recognised booksellers.

*

Subscription orders :

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should be addressed to the Technical Centre, Brussels, and the corresponding amount remitted to Postal Cheque Account (CCP) no 729.87 " U.E.R. - Centre Technique, Compte Spécial, Bruxelles " or to the E.B.U. account no 962.260 with the Banque de la Société Générale de Belgique, Agence Ma Campagne, Brussels.

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E.B.U. REVIEW

PART B - GENERAL AND LEGAL

PUBLISHED BI-MONTHLY

by the

ADMINISTRATIVE OFFICE OF THE EUROPEAN BROADCASTING UNION

Editorial and Publishing Office : 1, rue de Varembé, Geneva (Switzerland)

Telex : 22 230 Telegrams : Uniradio Geneva Telephone : 33 74 60

No. 53 - February 1959 **PRICE : 3 Swiss francs**

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Editeur responsable: Ch. Gilliéron, 1, rue de Varembé, Geneva (Switzerland)

GENERAL SECTION

THE TWENTY-FIFTH ANNIVERSARY OF THE NATIONAL ORCHESTRA OF THE R.T.F.

by HENRI BARRAUD

National Programme Director of the R.T.F.

This season the Radiodiffusion-Télévision Française is scheduling an important festival of concerts to celebrate the twenty-fifth anniversary of its National Orchestra. It is just twenty-five years since the decree was issued, on 18th January 1934, on the initiative of Inghelbrecht

(Reproduction authorised by the RTF)

Mr. D. E. INGHELBRECHT.

and Minister Jean Mistler, which was to bring into being an ensemble that has since become one of the most outstanding in the world.

At the time it might well have seemed a challenge and almost a wager—and in any case an extravagance—thus to launch an orchestra of young players, put together from scratch, on to a market in which several illustrious formations laden with years and honours and as rich in tradition and experience as in prestige, were still flourishing. Some of these, Colonne, Lamoureux, Pasdeloup, Société des Concerts du Conservatoire, are still with us (though others such as the Straram Orchestra and the Paris Symphony Orchestra are now defunct), and are continuing faithful to their reputation with a younger team of men.

But their work is increasingly beset with economic difficulties, and it is this that makes it easier for us to understand at present the wisdom and foresight inherent in the creation—which at the time was opposed in principle—of a great national orchestra held to its duties by contract, the perfect instrument to uphold the traditions of music in the widest sense of the word. It was marked out for this role by the individual worth of its players, if by nothing else, but equally as much, if not more, by the continuity of its work as a body and by its freedom from the spectre of the box office which forces every private venture to follow public taste instead of guiding it.

When it first began the National Orchestra was somewhat handicapped by the fact of belonging to a broadcasting corporation, which meant that it was at the service of an invisible public from which it was separated by formidable and complex machinery. This distant and watered-down audience, this public in the abstract to which its efforts were directed while the members of the orchestra were shut up within the four walls of a studio, is perhaps the most disheartening and alien thing to the spirit of music, a collective activity if ever there was one.

The top men in radio had become aware of this long before the war, and this explains the public concerts that were organised at the time, and which from October 1944 onwards had made the Thursday concerts at the Théâtre des Champs-Elysées the lodestone of the musical life of Paris. Who could forget the 1944-5 season, with the performance under the baton of Manual Rosenthal of the whole of Stravinsky's works ?

There quickly emerged two themes that were to stamp the whole musical policy founded on this avant-garde

orchestra—the ardent defence of contemporary music, conducted by young and aggressive musicians, and the maintenance of the sound traditions of classical music with the help of great conductors of international repute. It was this programme that gave us conductors like Manuel Rosenthal, Roger Désormière, Jean Martinon, Pierre Dervaux, Paul Paray and others on the one hand and people like Schüricht, Bruno Walter, Klecki, Furtwängler, etc. on the other, without forgetting conductors who are equally keen on contemporary music as they are on the music of the past, such as Inghelbrecht, Charles Munch, Cluytens, and the rest.

The public concerts on Thursdays were quick to spread the reputation of the National Orchestra throughout the world, and it was not long before attractive offers for foreign tours began to flow in. First it was Switzerland, Belgium and Britain, and then in 1946 came the great tour of the United States. One might almost call it the great adventure, so many were the incidents, the quaint happenings and the triumphs that came their way during this extraordinary 12,000 mile swing across the American continent.

Even now this tour ranks in America as a milestone in musical history, such was the magnitude of the triumphs and the impact of the orchestra, even in cities that are justly proud of their orchestras and convinced of their superiority.

Of recent years the outside engagements of the National Orchestra have taken it the length and breadth of France from one festival to another—Aix-en-Provence, Bordeaux, Strasbourg, Besançon, the latter two towns being in the habit of inviting it every year.

On its foreign trips the National Orchestra has made the following stops :

1946 — Brussels, Berlin, Switzerland and the Festival of London;

1948 — Tour in the United States of America and Canada, conducted by Charles Munch;

1950 — Edinburgh Festival;

1951 — Berlin;

1952 — Germany;

1953 — Belgium and the Netherlands;

1954 — the Edinburgh Festival and the Montreux Festival, which it has since attended every year;

1956 — the Warsaw Festival (where it was the only Western orchestra invited, along with the best ten formations of the Eastern bloc);

1957 — Copenhagen and Bergen;

1958 — Palermo, the Brussels Exhibition, and the Toscanini Festival in Parma.

In 1959 the National Orchestra is due to make a number of important tours.

In May, under the leadership of André Cluytens, it is to travel in the Soviet Union, giving a score of concerts in Moscow, Kiev and Leningrad.

In June it will be back at the Strasbourg Festival.

August will see it at the Salzburg Festival, where it will play under several great conductors of international fame, while Paul Paray will conduct a concert of French music. From here it may continue on to Budapest.

In September the National Orchestra is scheduled to take part in the Besançon Festival, then in the Montreux Festival where, before returning to Paris, it will give a series of concerts in various towns in Switzerland.

*

In the meantime the Orchestra will have performed in a festival stretching over several winter and spring months to celebrate its twenty-fifth anniversary.

This festival began on 3rd February with a gala concert conducted by Inghelbrecht, the founder of the orchestra, in which the great lady of French music, Madame Marguerite Long, came out of her retirement out of kindness to the orchestra and was good enough to play the *Ballade* by Gabriel Fauré.

The Festival will continue with one concert a week under conductors such as André Vandernoot, Constantin Silvestri, Paul Klecki, André Cluytens, Manuel Rosenthal, Somogy, Carl Schüricht, Paul Paray, Igor Markevitch, Ferenc Fricsay, George Solti and Lorin Maazel.

Among the soloists who are expected to come are Léonid Kogan, Samson François, Malcuzynski, Gyorgy Cziffra, Claudio Arrau, Arthur Rubinstein, Nathan Milstein, as well as Madame Maria Meneghini Callas, Rita Gorr, Bugarinovitch, Elisabeth Schwarzkopf, Victoria de los Angeles, Cangalovitch, Fischer-Dieskau, Gedda and Zacharia.

Everything is thus being done to lend exceptional lustre to this silver wedding of the Radiodiffusion-Télévision Française and the *Orchestre National.*

As we have seen above, the National Orchestra has become one of these great international stars that is for ever moving about the planet in this age when air travel has made distance no object. But, as distinct from the great virtuosi who have in the end become depersonalised by the worship and the humdrum tastes of their public, who demand of them the same eternal two or three classical concertos, the National Orchestra carries with it throughout the world a style of its own, a way of living its music, and a repertory that make it a worthy product of France, and an active and persuasive representative of French thought and French life at its most creative.

ALL INDIA RADIO

by R. M. MARATHEY

Director of Programmes, All India Radio

Organised broadcasting in India completed its thirty years in 1957, though the organisation known as All India Radio came into existence in 1936. All India Radio has at present 28 stations and broadcasts programmes for over 100,000 hours per year in its Home Services in all Indian regional languages. All India Radio has also programmes directed to Indian and foreign listeners abroad in four Indian and fourteen foreign languages. A department of the Government of India, All India Radio is perhaps one of the biggest multi-lingual networks of its kind in the world. A.I.R. is now experimenting with television which is likely to come to India early next year in a small way.

History

Broadcasting in India was started by a private concern which set up stations at Bombay and Calcutta in 1927. This venture, however, did not succeed and the Company went into liquidation in 1930. The Government of India took up broadcasting as an experimental measure for the next few years till, in 1936, All India Radio was born and with it organised broadcasting in India. The Second World War gave a new fillip to broadcasting. Central News Services Organisation was set up at Delhi from where External Services were also undertaken.

At the time of the Partition of India in 1947, A.I.R. was left with six stations at Bombay, Delhi, Calcutta, Madras, Lucknow and Tiruchirapally. These stations could hardly cover all the important linguistic areas of the country. A pilot scheme was, therefore, drawn up to provide partial service to other areas and a number of stations were set up. Further, stations in the old princely States like Baroda, Hyderabad, Trivandrum and Mysore were integrated with All India Radio which slowly acquired its present dimensions. At present, All India Radio has 52 transmitters, 28 radio stations with 32 studio centres and 28 receiving centres. Its External Services are heard in Asia, Europe, Africa and Australia. The Home Services are heard by about 1.5 million licensed listeners in India, a hundred thousand of which are situated in rural areas. There are some sixty thousand community receiving sets in different villages for which special programmes are broadcast from all A.I.R. stations.

A salient feature

All India Radio has endeavoured to tackle perhaps the most challenging problem in the world, that of linguistic aspirations in the field of broadcasting. On the Home Service, programmes are broadcast in 16 principal languages, 28 tribal languages and 48 dialects. Master-scripts are often rendered into all the principal languages and thus A.I.R. is gradually building up a country-wide translation bureau and Programme Exchange.

News has to be centrally edited, translated into different languages, broadcast centrally and relayed by various regional stations according to their language requirements.

Radio programming in so many languages has resulted in a simultaneous encouragement to modern literature in all parts of the country and A.I.R. is thus contributing substantially to the renaissance that is coming into evidence today.

Administrative set-up

Broadcasting in India is the exclusive responsibility of the Central Government under the present Constitution. All India Radio is an important part of the Ministry of Information and Broadcasting. The Director General is the head of the Department and he is assisted by officers engaged on specialised work in engineering, programmes and administration. A separate unit deals with the implementation of the Development Plans. The 28 radio stations are under the charge of a station director or assistant station director who, in their turn, are assisted by programme, engineering and administrative staff.

Programmes

Programme Planning keeps in view realities and requirements of the listeners as also the fundamental unity in diversity of Indian culture which is common to the whole sub-continent.

The total duration of the programmes broadcast by All India Radio in the year 1957 was nearly 100,000 hours. This is dispersed over several stations and languages. There is, therefore, no such distinct centralised classification of programmes as in organisations that have only one language. But in the course of years a pattern has emerged which could be thought of as a rough and ready classification. The largest category is of what may be called " regional general programmes " of interest to the average listener in different parts of the country. Every station broadcasts plays, talks and a large chunk

of music, both classical and light. The regional programme is broadcast in three transmissions from most stations. The second category is of what may be called " special audience programmes ", broadcast again on a regional basis but designed for particular groups. This would include the rural programme (about one hour to 75 minutes from practically every station), programmes for women and children, school broadcasts, programmes for industrial workers and programmes for the tribal people. Quite a few of these special audience programmes are heard on subsidised community sets or school sets for which a low licence fee is charged. The third category would include the National Programmes. These are usually planned centrally, though produced by one or the other regional station, and will include the national programmes of music, the national programme of talks, the national programme of plays, operas and special anniversary programmes, practically every month. They are usually broadcast between 8-30 p.m. and 9.00 p.m. and 9.30 p.m. and 11.00 p.m. These programmes are relayed by all stations or, in the case of plays, broadcast simultaneously by all stations in their respective languages. Perhaps the national programme makes the nearest approach to broadcasts like the Third Programme of the BBC. The fourth and the most recent category is the All India Variety Programme—*Vividh Bharati*—which is a light programme, principally consisting of light, film and folk music, and broadcast on two high power transmitters covering the entire country. The *Vividh Bharati* is also relayed in chunks by some stations. This is the general picture, not the result of any pre-conceived design but one which has emerged in course of time as All India Radio has expanded its programme commitments.

The following table gives relative duration of various types of A.I.R. programmes, broadcast in the Home and External Services, in a year :

PROGRAMME COMPOSITION

Type of Programme	*Total duration* Hours	Minutes	*Percentage*
HOME SERVICES			
Indian music	47,396	44½	48.2
Western Music	1,985	44	2.0
Spoken word	5,030	30½	5.0
Drama, etc.	4,318	00	4.0
Publicity	1,070	11	1.1
News	19,917	40½	20.0
* Other Broadcasts	19,606	45	19.7
Total	99,325	35½	100.0

* Includes programmes for children, women, rural and industrial areas, schools and broadcasts of music lessons, Hindi lessons, etc.

Type of Programme	*Total duration* Hours	Minutes		*Percentage*
EXTERNAL SERVICES				
Indian Music	2,066	00		
West Asian Music	377	00		
African (Swahili) Music	62	00	2840	43½
Western Music	28	00		
East Asian Music	307	00		
Talks, Discussions, etc.	928	00		14
Dramas, Plays and Features	294	00		4½
News Bulletins	1,714	00		27
Publicity Items	373	00		5
** Other Broadcasts	405	00		6
	6,554	00		100.0

** Includes programmes for children, women, religious broadcasts, radio reports and other items not included here.

Music occupies nearly half of all the programmes broadcast from A.I.R. There are two main traditions of music in India : the Hindustani or the northern tradition and the Karnatak or the southern tradition which are respectively popular in the north and south of the country. The two traditions have much in common and A.I.R. broadcasts programmes in both traditions so that they may both be understood and in due course become popular all over the country. Music lessons are broadcast for those who wish to gain elementary knowledge of music through radio. The genuine music of India is in its classical tradition which, again, occupies a major portion of music programmes. Short pieces of attractive classical songs are also included to familiarise the average listener with the beauty of classical music. Indian music did not have orchestral or group music before. A.I.R. has set up a National Orchestra which presents elaborations of *ragas* or *raginis* or elaborations of moods or patterns of music. The orchestra has also attempted thematic compositions on subjects drawn from classical literature. National concerts of music are held from Delhi every week and heard all over the country. Once a year, a series of these concerts is held at Delhi and Madras simultaneously in which the eminent musicians of the country participate and discussions on various aspects of Indian music take place between musicologists, music critics and music lovers.

To attract juvenile artists, music competitions are also held for boys and girls between 16 and 21 years. Over a thousand candidates appear for these competitions and their number is increasing from year to year. In light music, an effort is made to choose songs of poetic quality and their tunes are derived from classical music or attractive folk music. Special efforts are made to produce light music as not enough of this type of music is available on commercial records. Efforts are also made for the collection, selection and preservation of folk music from all parts of the country. Special

mobile vans containing recording apparatus have been set up in certain areas for this purpose.

National Programmes

In addition to the different types of radio programmes that regional stations broadcast in their respective languages, attempts are made to introduce the best available writings in one language to all other Indian languages, thus bringing the various languages and literatures together. In the National Programme of Plays, the best plays in one language are made available, through translation in Hindi, to all other languages and on the same day are simultaneously broadcast in all the regional languages of India. A National Symposium of Poets held on the occasion of the Republic Day in January similarly brings together eminent poets from all Indian languages who recite their original work before an invited audience and poetic translations of these works are also rendered. Once a year, a National Literary Forum is held in which eminent men and women of different Indian literatures participate and discuss matters of common interest.

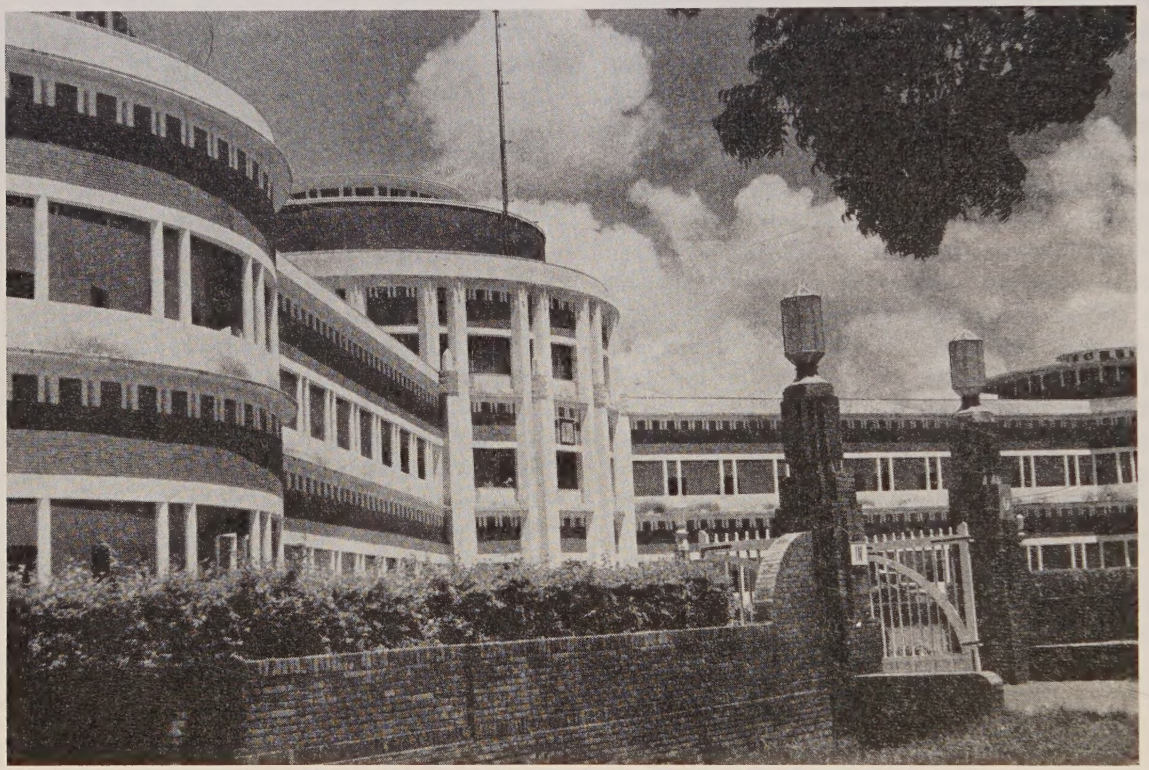
For special audiences

Besides programmes for general listeners, some of which have been mentioned above, A.I.R. broadcasts from all stations a number of programmes for special audiences such as Rural, Industrial, Schools, Universities, Women and Children. These programmes, some of which are heard on community receiving sets in villages and factories, schools and universities, are addressed to their respective special audience and cater in information and entertainment for their broad needs and interests. Programmes are also broadcast for tribal regions particularly those situated in the North East of the country.

For rural areas

Over 80 per cent of India's population lives in villages which are not yet easily accessible and have otherwise limited opportunities for education and entertainment. Radio here assumes an important role and often acts as the only medium of information, education and entertainment in these areas.

In 1955, A.I.R., with the help of UNESCO, organised an experimental project described as the Radio Farm Forum Project. These listening-cum-discussion-cum-action programmes were specially directed to a selected group of villages which were asked to listen and comment on these programmes. These comments and reactions were sent back to the stations and were included in planning future programmes. Thus, a two-way traffic was established between the radio station and its listeners making broadcasting more realistic and useful from all points of view.



(Photo K. L. Luthra, New Delhi)

Broadcasting House, New Delhi.

A light programme

As in all countries, there is a growing demand by listeners for a programme of popular music and light items. Such a programme is the All India Variety Programme which was inaugurated on the 3rd October 1957. Broadcast practically throughout the day on two very powerful shortwave transmitters, this programme is heard throughout the country and judging from listener response it has already become immensely popular.

News

As mentioned above, the News Services are centralised in New Delhi. At present 79 bulletins are broadcast in 29 Indian and foreign languages. Each station relays bulletins broadcast in the language or languages of its area in addition to bulletins in English and Hindi which are relayed by all stations.

Foreign services

The first External Service broadcast by All India Radio was made in Pushto in 1939. Today, A.I.R.'s External Services occupy over 20 programme hours per day in 16 languages and are directed to listeners in several countries in Asia, Africa, Australia and Europe.

The following statement gives some idea of the languages and coverage of these programmes :

East Asia	*West Asia*	*Europe*
Kuoyu	Arabic	French
Cantonese	Persian	Portuguese
Burmese	Pushto	
Indonesian		
Tibetan		
Africa	*Indian Languages*	*General English*
Swahili	Hindi	For Europe
	Gujerati	For Australia and New Zealand
	Tamil	For West Africa
	Konkani	For South East Asia and North East Asia

Programme exchange

A.I.R. has an Internal and External Programme Exchange Unit. The External Section distributes recordings of programmes in English and Indian languages to foreign broadcasting organisations while the Internal Section makes outstanding programmes of various stations available to the others. There is also a Transcription Service attached to A.I.R. which undertakes processing of records of music and the spoken word. Among the latter, A.I.R. is proud to possess some 60 hours of recordings of Mahatma Gandhi which are being preserved for posterity.

Monitoring

A Monitoring Service located at Simla monitors about a hundred broadcasts per day in a dozen languages from some 25 foreign radio stations. The Monitoring Service feeds A.I.R.'s news bulletins and also issues periodical reports for the use of Government Departments.

Listener Research and Radio Journal

Listener Research is vital to any organisation in the planning of its programmes. By employing scientific methods, the listener research unit of A.I.R. endeavours to measure the relative listener preferences to the various programmes broadcast which form a valuable data for the guidance of those engaged in planning and production of programmes.

A.I.R. publishes programme journals in English and six Indian languages in addition to several foreign languages for its External Services.

Contracts and agreements

All India Radio has entered into agreements with recognised companies and associations for performing or broadcasting rights in Western and Indian music. Contracts are also signed with artists and authors as regards plays, talks, music, poetry recitals, short stories and so on. According to one of the conditions of these contracts, the artist or the author agrees to keep A.I.R. indemnified against all actions and proceedings in case of any infringement of copyrights of any other persons or organisations.

The future

The future of broadcasting in India will perhaps be determined by the pace at which facilities for listening can be provided in Indian villages. Hitherto the bulk of the licensees have been in towns. Under a subsidised scheme, it is expected to have a total of 66,000 community listening sets in Indian villages, bringing the overall total to 95,000 by the end of the Second Plan period (1962). But this is hardly adequate for a country with 500,000 villages. If the number of listeners in villages goes up, the programme structure will also undergo a corresponding change. Even as it is, folk-lore and folk-music are having a distinct impact upon the general programme content. This is an encouraging sign. Another significant change that is coming over All India Radio is the switching over to tape recording. This is enabling A.I.R. programme makers to tap talent in the interior and also to have a brisk and countrywide exchange of programmes throughout India. The multi-lingual pattern presents complex problems but has also lent a pleasant variety to A.I.R.'s programmes. In a small way, A.I.R. is thus contributing to the building up of a sense of national unity.

SCIENTIFIC AUDIENCE SURVEY BY THE SWISS BROADCASTING CORPORATION

by O. PÜNTER

Head of the SSR Public Information Department

The radio and television service is a public utility of the first importance. More perhaps than any other it must strive to gain and keep the confidence of the people and of the nation—an arduous task if ever there was one, and one that can only be accomplished by a knowledge of the opinions of the radio and television audience. And their views and habits can be ascertained by only one means, that of the periodical and systematic sampling of public opinion, which is the very basis of any public relations service.

Sampling surveys by modern methods have become an exact science, as has been proved on innumerable occasions, and they have nothing in common with the consultation of a group of persons chosen at random and polled by means of questionnaires sent through the mails, only a relatively small proportion of which are ever returned as a rule.

For the first time the Swiss Broadcasting Corporation (SSR) has carried out a wide scientific survey of listener opinion, entrusting this project to the Swiss Public Opinion Institute (ISOP), Lausanne, originally founded by Mr. Charles Gilliéron, the present Director of the Administrative Office of the EBU, and currently headed by Mr. Pierre Devrient.

Purposes

The primary purposes of this survey were to take a census of the number of radio sets in service and the types of such sets (with or without FM reception, automobile radios, etc.); to ascertain the listening habits of the audience and the total listening time; and to discover the audience reaction to the main types of programmes.

In order to obtain a picture that was as accurate as possible it was in fact necessary to carry out three separate surveys, in French-speaking Switzerland, German-speaking Switzerland and in the Ticino, where the national language is Italian. In all 4,200 persons were interviewed, 1,400 of them in French-speaking Switzerland, 2,100 in the German-speaking cantons and 700 in the Ticino. They were chosen on the basis of the results of the 1950 demographic census, making allowances for population movements up to this year, according to information supplied by the Federal Office of Statistics.

Taking into account all the material factors in an enquiry of this kind, such as sex, age, marital status, place of residence, educational level and consumer category, the persons interviewed in each of the three regions represent an exact sociological cross-section of the Swiss population.

The interviews were carried out by 180 investigators in the homes of the persons questioned.

The data thus compiled were processed largely by means of punched-card systems. Four cards had to be perforated for each person.

As a check on the accuracy of the results the rough numerical data were verified by statistical means whenever they seemed to be of particular interest.

Results of the Survey

The results of the survey partly confirmed certain suspected listening habits and partly revealed new and highly valuable knowledge on this subject.

The following are the main features of this information.

Number and Type of Receiving Sets

Question: How many radio sets are there in your home ?

	German Switzerland	French Switzerland	Italian Switzerland
	%	%	%
1 set in the home	79.6	82.1	89.7
2 sets in the home	14.4	12.2	5.9
3 sets in the home	2.7	2.8	0.9
4 sets in the home	1.4	0.9	—
5 sets in the home	0.5	0.4	—
1 set in week end chalet or similar house	1	2	2
1 set in motor car	6	5	4

Extrapolating on the above figures one arrives at the result that there are some 1.7 million radios in use in Switzerland. At the time of the survey the number of licensees paying the radio licence fee was 1.3 million in round figures, which means that there are 400,000 additional sets, of which 17,000 are in holiday chalets and week-end bungalows, and 75,000 sets in motor cars which do not pay any supplementary licence fee.

As to the types of sets, listeners possessed the following facilities on their radios :

	German Switzerland	French Switzerland	Italian Switzerland
	%	%	%
Sets with FM circuits . . .	45	36	28
Télédiffusion	22	18	18
Rediffusion	4	2	0

Listening Time and Listeners' Habits

Question: Do you listen in every day, almost every day, seldom, or never ?

	German Switzerland	French Switzerland	Italian Switzerland
	%	%	%
Every day	69	64	64
Almost every day	22	25	24
Seldom	8	9	9
Never	1	2	3

Question: To what extent do you tune in to Sottens, Monte Ceneri or Beromünster, as the case may be ?

Exclusively or more often than other stations	51	58	48
As often as other stations	24	22	37
Less than other stations	23	17	11
Never	1	1	1
No answer	1	2	3

Question: Do you listen to the Second Programme of Sottens, Monte Ceneri or Beromünster, as the case may be ? And if so, on FM or on *télédiffusion* ?

On FM	36	19	19
On *télédiffusion*	17	9	12
Don't listen	47	72	69

Actual Listening Time

Question: How much time a day do you spend listening to the radio ?

Less than half an hour	6	13	3
½ to 1 hour	13	12	11
1 to 2 hours	19	18	24
2 to 3 hours	20	12	18
3 to 4 hours	10	10	12
4 to 5 hours	7	6	6
5 to 6 hours	4	4	4
6 to 7 hours	2	2	3
7 to 8 hours	1	2	1
8 to 9 hours	2	4	3
Did not listen in on previous day	16	17	15

Weekly Average Density of Listening at Various Times

Percentage of Sets Tuned In

B Beromünster
S Sottens
C Monte Ceneri
O Other Stations
T Total Number of Sets Tuned In

Time	German Switzerland			French Switzerland			Italian Switzerland		
a.m.	B	O	T	S	O	T	C	O	T
6—7.30	22	2	22	19	2	21	12	1	13
7.30—8	4	2	6	9	2	11	7	1	8
8—9	1	4	5	1	4	5	1	2	3
9—10	1	5	6	1	6	7	1	4	5
10—11	2	6	8	2	6	8	1	6	7
11—12	3	6	9	5	4	9	6	3	9
p.m.									
12—12.15	6	3	9	14	3	17	8	3	11
12.15—12.30	12	2	14	17	3	20	11	3	14
12.30—12.45	61	1	62	23	5	28	65	2	67
12.45—1	25	4	29	53	2	55	31	3	34
1—1.15	14	3	17	26	4	30	20	3	23
1.15—1.30	8	4	12	16	3	19	11	3	14
1.30—1.45	5	4	9	9	3	12	8	1	9
1.45—2	4	3	7	8	3	11	5	1	6
2—3	6	4	10	2	6	8	4	1	5
3—4	2	3	5	3	4	7	4	2	6
4—5	4	3	7	3	3	6	8	1	9
5—6	5	3	8	2	3	5	10	2	12
6—6.15	3	3	6	3	3	6	24	1	25
6.15—6.30	2	3	5	3	2	5	26	—	26
6.30—6.45	5	3	8	5	2	7	10	2	12
6.45—7	5	2	7	7	2	9	10	2	12
7—7.15	10	2	12	11	3	14	12	1	13
7.15—7.30	10	2	12	40	3	43	52	1	53
7.30—8	47	1	48	23	5	28	28	2	30
8—8.30	29	7	36	25	7	32	18	7	25
8.30—9	20	6	26	24	6	30	18	6	24
9—10	9	5	14	14	5	19	13	10	23
10—11	6	3	9	7	3	10	5	4	9
11—12	1	2	3	1	2	3	—	2	2

Consultation of Programmes

Question: Do you look up the programmes in the broadcasting weekly or in your usual newspaper ?

	German Switzerland	French Switzerland	Italian Switzerland
	%	%	%
Broadcasting weekly	20	21	20
Daily newspaper	47	40	43
Don't look them up	33	39	37

Programme Response

In view of the relatively large number of persons interviewed, a method of programme appraisal had to be worked out whereby each person would answer 27 questions by checking one of five boxes. The answers give an indication of audience tastes and preferences in regard to the main programme categories. The interviewers handed out lists of the various types of programmes, asking whether they favoured *(a)* increasing them, *(b)* improving them, *(c)* reducing them, *(d)* dropping them or *(e)* keeping them as at present. Running down the columns we note, for instance, that opera commands the approval of 52% of the persons consulted for Sottens, 40% for Beromünster and 52% for Monte Ceneri (13%, 12% and 26%, respectively, want more of it), and that under the heading " News " 88% for Sottens, 81% for Beromünster and 74% for Monte Ceneri are for keeping it at its present level. A large proportion of listeners suggest having more variety shows : Sottens 43%, Beromünster 45% and Monte Ceneri 38% [1].

[1] The Editor will be pleased to forward the detailed results of these statistics on request to any EBU Members or readers.

Conclusions

In brief this survey suggests the following conclusions :

1. The interest the Swiss population as a whole takes in broadcasting was confirmed by the fact that all the persons interviewed gladly replied to the questionnaires.
2. Particularly gratifying was the faithfulness of the audience of the Swiss national transmitters. Listeners tune in to foreign stations much less than was previously imagined. Purely technical reasons, such as the local station being the only one that gives decent reception, obviously have something to do with it, but are by no means decisive. The overwhelming majority of listeners prefer Sottens, Beromünster and Monte Ceneri because they are by and large satisfied with the programmes, because they like the unbiased news coverage and because, in the case of Beromünster and Monte Ceneri, some of the items are repeated in dialect.
3. Intensity of listening is greater in the morning and much lower after 10 o'clock at night than it was believed to be. Programmes scheduled between 6 and 7 p.m. have less of a following on Beromünster and Sottens than was hitherto supposed, whereas a much higher percentage of Monte Ceneri's audience tunes in at those times.
4. FM reception of the Second Programme is not as widespread as it might be, due to the fact that the radio sets with FM circuits or attachments represent in German-speaking Switzerland only 46% of the total number of licensed sets, in French-speaking Switzerland only 36% and in Italian-speaking Switzerland only 28%. In this field the market is as yet far from saturated. Those listeners who can get the Second Programme and who listen to it have a favourable reaction to it, particularly in the German-speaking cantons.
5. The audience's opinion of the programmes as a whole is a very high one. Undoubtedly one of the feathers in the cap of broadcasting is the fact that such a large percentage of the population appreciates classical music, broadcast plays and features, and the current affairs programmes.

E.B.U. Review No. 53, Part A (Technical)

includes the following articles :—

Hans Springer, " The utilisation and future development of test-lines in the vertical interval ".

J. J. Geluk and H. J. van der Heide, " Compatible stereophonic VHF broadcasting ".

K. R. Sturley, " Some impressions of technical training for broadcasting staff in the U.S.A."

as well as topical information about technical developments in sound and television broadcasting, including new high-power Band-IV transmitters recently taken into service in the German Federal Republic, the new ARD television outside-broadcasting vehicles, the new ORF broadcasting house at Graz, the Jauerling and Schmittenhoehe VHF transmitting stations, the television coverage of the Pope's Coronation, and a paper recently read before the IEE on the acoustics of small studios. The issue also contains data on the situation in the European long- and medium-wave broadcasting bands on 1st January 1959, and lists and maps of the television stations in Austria and Switzerland.

"CHASSEURS DE SON"

by JEAN BOREL

Secretary General of the "Fédération internationale des Chasseurs de Sons"

Although amateur sound recording is as old as the invention of the phonograph, it only really came into its own as a popular hobby when the first electro-acoustical recording machines came on to the world market. The turning point was the introduction of the plastic tape, which marked a considerable improvement on the old magnetic wire which was rather tricky to handle particularly when making sound *montages*.

It was thus during the last war, or rather just after the war, that the real amateur sound recording vogue began to develop. At about the same time clubs and associations of "*chasseurs de son*" ("sound trackers") began to spring up in various places. The expression lends itself to confusion on first acquaintance, because it puts one in mind of people tinkering about trying to locate and eliminate the atmospheric sounds that interfere with the reception of radio and television programmes. Others think it has something to do with the noise abatement leagues, and are disconsolate when they realise that the aim of the "sound trackers" is quite the opposite : to capture sounds with a view to reproducing them by amplifying them, distorting them at times, and subjecting them to all kinds of changes—but with the end result of multiplying rather than suppressing them.

Since then the ranks of the recording enthusiasts have steadily been swelling, until nowadays the number of recording machines in use must be approaching that of the television sets, home cinemas and the like in private hands.

But, you may ask, whatever would the layman want to do with a sound recording machine ?

To start with, a tape recorder is to the "sound tracker" what a movie camera is to the amateur film enthusiast, a means of recording memories. After all, why not keep souvenirs in sound just as much as pictorial souvenirs ? The children's chatter, the voices of those who are near and dear, the party recitation, a talk, a lecture, a toast at a family gathering. And then there are all the things you hear on the radio, perhaps a funny sketch or a catchy popular tune that you would like to hear again and can erase when you are tired of it.

But if these were the only things that could be done with a tape recorder, they would hardly justify the relatively heavy outlay involved in purchasing the equipment, and the instrument would never have caught on so extraordinarily widely as it has. In a whole series of fields where yesterday it "came in handy", it is now in frequent use and tomorrow it will be indispensable. In business it takes the place of the shorthand-typist; in the theatre it provides the sound background and the "noises off" that accompany the acting, and in the classroom it can either illustrate geography, history and literature lessons or help on the teaching of modern languages by giving the pupils an opportunity to improve and correct their pronunciation and choice of words. The amateur cameraman may use it to provide an appropriate musical accompaniment or commentary to his silent films. By sending the recorded tapes through the mails it can become a medium of communication in the same way as a letter. Recorded university lectures have enabled hospital patients or convalescents to continue their studies even when sickness kept them confined to bed. The blind, too, derive much profit from this device which is their substitute for reading. And I have quoted only the possibilities that came to mind on the spur of the moment. There can be no doubt that the tape recorder is destined to be of service in a hundred other fields, and that in those fields where it already plays an important part it will be used to a steadily increasing extent.

This, you might think, is a far cry from broadcasting. Not at all. The amateur sound recorder may have occasion, not to compete with the professional radio reporter (let the cobbler stick to his last !) but rather to lend him a helping hand by going to his private library of recordings for one that may suddenly become news, offering perhaps the voice of a famous man who has just passed away, a recording made at some unexpected event to which the broadcasting company could not send a staff reporter, a local occasion that seemed unimportant but became newsworthy later on, and so forth. Last but not least, the "sound tracker" is an explorer, and when he has had enough of using his microphone for the voices and noises of everyday life, he can pursue his investigations beyond the things that present themselves to him unasked, to those outside the natural world of sound, perhaps changing normal characteristics or perhaps inventing something new in sound; in short, by mastering the material to hand he can harness sound to do his bidding. A case in point is an orchestra of dogs barking, for example, or a collection of sound effects picked up here and there and produced with the most improbable odds and ends. Or, in scientific and technical research, the recording enthusiast may stumble upon some refinement of detail or some recording trick, or be able to discover some phenomenon, all of which taken together will help to develop the potentialities of sound recording

or sound broadcasting. Processes, knacks, new ideas and original approaches—the amateur who has the time, the divine spark and the conviction can help to discover them or develop them for the benefit of all.

Besides this, the programme planners in the broadcasting world usually look kindly on the activities of the " sound trackers ", and for a number of years now have scheduled broadcasts, sometimes regularly and sometimes occasionally, in which amateur sound recording enthusiasts are able to give their compositions a hearing and thus bring their hobby into the public eye. Since 1948 in France, first on *Paris-Inter*, then on the *Chaîne parisienne*, and latterly on *France II*, the programme *On grave à domicile*, later re-styled *Aux quatre Vents*, has come on the air every Saturday, announced by Jean Thévenot. In Switzerland, too, Jean-Maurice Dubois' show entitled *Chasseurs de Son* (at one time called *En suivant les pistes sonores*) is a regular fortnightly feature, also on Saturdays, and has been broadcast by Radio Lausanne over the Sottens transmitter ever since 1950.

But the interest of the broadcasting authorities in the amateur sound recording movement has been shown above all in the support they have given to the organisation of the International Contest for the Best Sound Recording *(Concours international du Meilleur Enregistrement Sonore, C.I.M.E.S.)*, which is held year after year in October. They have sponsored these competitions, scheduled broadcasting time for them and put up prizes for the best efforts submitted by the contestants.

The first such contest took place in Lausanne in 1952. Paris organised the second in 1953, Brussels the third in 1954, while the next, in 1955, was again held in Lausanne. The fifth, in 1956, was in Paris, the sixth (1957) in Brussels, and the seventh and last to date was organised in Berne in 1958. Arrangements have been made to hold the next one in London in October 1959.

Operating at first on their own, the amateur sound recording fans organised themselves into local or area clubs as their numbers grew, and it was not long before they formed national associations which could speak on their behalf to the radio corporations. These national groups, through the very fact of the existence of this international contest, came to consider the idea of federating on the international level. Their international federation, whose French title is *Fédération Internationale des Chasseurs de Son (F.I.C.S.)*, was founded in 1956 on the occasion of the Paris contest, and adopted its constitution and rules in the following year at Brussels, in conjunction with the sixth contest. It is an affiliate of the Association of International Non-Governmental Institutions and has received consultative status with Unesco.

(ATP Bilderdienst, Zürich)

International Contest for the Best Sound Recording
Berne, October 1958. From left to right: Mr. J. M. Dubois, Mr. Martial Sialm, Mr. Friedrich Brawand (president of the jury), Mrs. Erna Hausner.

The F.I.C.S. today has affiliates in the following countries : Austria, Belgium, Denmark, France, Germany, Great Britain, Netherlands and Switzerland. It is in correspondence with the existing or projected national associations in Australia, Czechoslovakia, New Zealand, Norway, Poland, South Africa and Sweden, and hopes to count them among its membership at an early date. Two international associations also belong to the Federation, namely the World Tape Pals of Dallas (Texas), and the *Centre international scolaire de Correspondance sonore* at Neuchâtel (Switzerland) and Sainte-Savine (France).

I have given a brief historical outline of the amateur sound recording movement. A later article will be devoted to the events it organises, especially the regular contests and broadcasts. In the meantime its thanks are due to the Editor of the *E.B.U. Review* for giving the hospitality of its columns to the *Chasseurs de son* to enable them to proclaim their *raison d'être* in the great family of the Radio.

MODERN LANGUAGE COURSES

The following table completes the information published on pages 5-10 of No. 52 b of the E.B.U. Review. Any further details which are sent to us during the next few months will be included in a later supplement.

Countries and Organisations	Language	Grades	Title of broadcast	Day	Time	Period	Notes
				ACTIVE MEMBERS			
FRANCE *Radiodiffusion-Télévision Française (R.T.F.)*	**French** *(in Arabic)*			Every day	GMT+1 07.45–08.00		31.38 m., 41.44 m., and 25.64 m.
				Every day	13.30–13.45		19.61 m., 16.85 m., 25.32 m., and 19.58 m.
				Every day	17.00–17.15		19.85 m., 16.78 m., 25.64 m., and 25.16 m.
	(in English)			Every day except Sunday	GMT+1 08.45–09.00		41.44 m.
				Monday Wednesday Friday	23.45–24.00		218 m.
				Saturday	15.45–16.00		41.44 m.
				Every day except Sunday	22.30–22.45		Brazzaville
				Tuesday Wednesday Friday Saturday	01.45–02.00		Brazzaville
	(in German)			Every day except Sunday	GMT+1 19.45–20.00		235 m. and 49.60 m.
	(in Polish)			Every day except Sunday	GMT+1 18.00–18.15		41.55 m., and 50.37 m.
	(in Portuguese)			Every day except Sunday	GMT+1 08.30–08.45 20.30–20.45		31.44 m. 30.72 m.
	(in Spanish)			Every day except Sunday	GMT+1 08.15–08.30 22.45–23.00		41.44 m. 41.44 m., and 50.37 m.
GERMANY *Süddeutscher Rundfunk*	**English**	Advanced	Kit and Kate	Sunday	22.00–22.20	alternate every Sunday	VHF
	French	Advanced	*Jacques et Jacqueline*	Sunday	22.00–22.20		

Countries and Organisations	Language	Grades	Title of broadcast	Day	Time	Period	Notes
ISRAEL *Israel Broadcasting Service (Kol Israel)*	**Hebrew** *(in French, Ladino and Yiddish)*	Progressive course		Twice a week	Between 19.00 and 21.00, 15 mins. each language	Four months	Given over special wavelength for immigrant broadcasts
	Hebrew	Beginners	News	Daily	20.15–20.30	permanent	
Voice of Zion	**Hebrew** *(in English, French and Yiddish)*			Daily	19.45–20.00		On short waves
	(in English)	Beginners		Wednesday	20.00–20.15		On short waves
	(in French)	Beginners		Monday	20.00–20.15		On short waves
	(in Yiddish)	Beginners		Monday Tuesday	20.15–20.30		On short waves
ITALY *RAI-Radiotelevisione Italiana*	**English**	Beginners and intermediate		Tuesday Friday	06.40–07.00	Autumn Winter Spring	National programme
	French	Beginners and intermediate		Monday Thursday	06.40–07.00	Autumn Winter Spring	National programme
	German	Beginners and intermediate		Wednesday Saturday	06.40–07.00	Autumn Winter Spring	National programme
	Portuguese	Beginners and intermediate		Alternate with Spanish	06.40–07.00	Summer	National programme
	Spanish	Beginners and intermediate		Alternate with Portuguese	06.40–07.00	Summer	National programme
				TELEVISION			
	English	All grades	*Passaporto No. 1*	Thursday	19.00–19.30	16 Oct.-31 July	
	French	All grades	*Passaporto No. 2*	Saturday	18.50–19.10	18 Oct.-31 July	
		Progressive 3-year course		Wednesday Saturday	14.40–15.10 14.00–14.30	from end November	Forms part of the *Telescuola* course *

* Cf. *EBU Review*, No. 52 b, p. 20.

Countries and Organisations	Language	Grades	Title of broadcast	Day	Time	Period	Notes
NORWAY *Norsk Rikskringkasting*	**English**	Intermediate		Sunday	08.35–08.50	7 Sept.-31 May	
		1st grade		Wednesday	09.00–09.20	24 Sept.-8 April	12 broadcasts a year (for schools)
		2nd grade		Thursday	12.25–12.50		8 broadcasts a year at irregular intervals (for schools)
		Intermediate		Thursday	12.25–12.50		7 broadcasts a year at irregular intervals (for secondary schools)
		Intermediate		Thursday	12.25–12.50		8 broadcasts a year at irregular intervals (for grammar schools)
	French	Intermediate		Sunday	08.20– 8.35	7 Sept.-31 May	
		Intermediate		Thursday	12.25–12.50		7 broadcasts a year at irregular intervals (for grammar schools)
	German	Intermediate		Sunday	08.05–08.20	7 Sept.-31 May	
		Intermediate		Friday	13.30–13.55		6 broadcasts a year at irregular intervals (for secondary and grammar schools)
			ASSOCIATE MEMBER				
CANADA *Canadian Broadcasting Corporation*	**English**	Beginners and intermediate	*Parlons bien l'anglais*	Tuesday	10.00–10.15 Atlantic Standard Time	9 Oct.-26 May	New Brunswick (for schools)
	French	Beginners and intermediate	*Ecoutez*	Monday	02.00–02.15 Pacific Standard Time	12 Jan.-20 April	British Columbia (for schools)
			Ici le français	Monday	14.15–14.30 Mountain Standard Time	29 Sept.-25 May	Saskatchewan (for schools)
			Le quart d'heure français	Monday	15.15–15.30 Central Standard Time	5 Jan.-16 March	Manitoba (for schools)
			« French »	Tuesday	11.00–11.15 Eastern Standard Time	30 Sept.-4 Nov.	Ontario (for schools)
			Parlez-vous français ?	Monday	14.00–14.15 Atlantic Standard Time	20 Oct.-20 April	Nova Scotia New Brunswick Prince Edward Island Newfoundland (for schools)
			« French »	Tuesday	14.15–14.30 Newfoundland Standard Time	16 Sept.-26 May	Newfoundland (for schools)

NEWS AND INFORMATION

INTERNATIONAL

THE COUNCIL OF EUROPE ASSISTS IN PROGRAMME EXCHANGES

by M. LENOBLE

President of the EBU Legal Committee

General Rapporteur of the Committee of Legal Experts on the Exchange of Television Programmes

On 15th December 1958 the Committee of Ministers of the Council of Europe, meeting in Unesco House in Paris, solemnly signed a " European Agreement concerning Programme Exchanges by means of Television Films " [1].

This ceremony, which was of immense significance for the future of television in Europe, might almost have passed unnoticed amid the hurly-burly of controversial issues if the French television service had not recorded the pictures of the event it televised the same evening in its own programme, and sent the film to all the television authorities interested in international exchanges of programmes.

[1] The text of the Agreement discussed by Mr. Lenoble is given in full in the Legal Section on page 40 below.

Prefacing this sequence, Mr. Benvenuti, the Secretary-General of the Council of Europe, gave televiewers in Europe an idea of the whys and wherefores of the Agreement, which he rightly placed in the context of action in furtherance of European policy generally, a policy which the Eurovision member countries have very much at heart.

It will perhaps interest members of the EBU to analyse the motives of those promoting the Agreement.

Everyone is perfectly well aware of the increasingly important place of television films in international exchanges. Direct relays are not always possible, either because the broadcasting schedules of the originating and relaying organisations do not coincide, or because of technical difficulties in transmission. Films, which are

(Photo taken from an RTF television film)

France signs the Agreement. From left to right: Mr. Joxe, Ambassador of France, Mr. Couve de Murville, Minister of Foreign Affairs, Mr. Lenoble, President of the EBU Legal Committee, and Mr. Adam, of the Council of Europe.

an easy way of getting round these difficulties, make it possible in addition to " dub " the sound track in the language of the receiving country. And they are cheaper than direct relays, because routing the broadcast over Post Office circuits involves very heavy transit costs.

Films are thus one of the big things in the future of television.

The trouble is that the law on films in the various countries makes it a hazardous and extremely tricky business to distribute them on an international basis. The divergencies in national law are such that one and the same film has different people as its authors in different European countries. And since the provisions of the Berne Convention make a work eligible for the protection enacted in the national legislation of the country in which it is exhibited, it follows that one and the same film may change authors every time it crosses a national frontier.

Producers of commercial motion pictures get round this difficulty by buying up the rights beforehand from all the persons who might conceivably be authors in the countries of destination. These assignments, however, cost money—much more money than the television organisations (which do not have the same facilities for recouping their expenditure as the film producers) can afford.

In the extremely able report the EBU submitted to the Council of Europe, our Legal Adviser, Dr. Straschnov, quotes the following example to illustrate this state of affairs :

" Let us assume that the television film has been made in the United Kingdom by one of the two television authorities. It is to be expected that the contracts executed with persons working on the film such as the scenario writer, dialogue writer, cameraman, director, etc., will not make provision for assignment of copyright in the film as these persons are not granted any such rights in the United Kingdom, and in any event the film-making organisation cannot tell in advance which foreign broadcasting organisations will be interested in the film or what the film's status will be in these potential importing countries. If the film is used in France, all those whom the French Act presumptively regards as joint authors, and even others who may be authors in particular cases, will be within their rights in claiming a copyright in France on the principle of national treatment, and restraining the showing of the film."

It is obvious that an urgent examination of the problems arising out of the law on television films was called for in order to remove the obstacles to their distribution.

A task of this nature was just the sort of thing that would interest the Council of Europe.

Desirous of achieving closer unity between the countries and keen on endowing Europe with uniform regulations, the Consultative Assembly took it upon itself to put up to the Council of Ministers a recommendation relating to " the employment of television as a means of interesting the public in the European idea ".

The Council then decided to undertake a wide enquiry among the international governmental and non-governmental organisations concerned in order to " investigate the legal obstacles in the way of exchange of television programmes and to make precise recommendations for the removal of such obstacles, while maintaining full protection of authors' rights and related rights ".

Following the studies that were undertaken, the International Bureau for the Protection of Literary and Artistic Works submitted certain recommendations. The Delegates of the Ministers then decided to create a Committee of Governmental Experts with the task of proposing the necessary measures in order to put these recommendations into effect.

This led to the meeting of the " Committee of Legal Experts on the Exchange of Television Programmes " on 13th January 1958 at Strasbourg. In addition to the government experts the meeting was attended by representatives of the International Confederation of Societies of Authors and Composers (CISAC), the European Broadcasting Union, the International Bureau of Mechanical Recordings (BIEM) and the International Publishers' Association (Music Section).

The chairmanship of the Committee was entrusted to Professor Bodenhausen, the Netherlands expert. Professor Ulmer (expert of the Federal Republic of Germany) and Mr. Lenoble (expert of France) were appointed Vice-Chairman and Rapporteur respectively.

The Committee decided to take as basis for discussion the report which Mr. Tournier, Director of the International Bureau of Mechanical Recordings, and Dr. Straschnov, Legal Adviser of the EBU, had sent to the International Bureau for the Protection of Literary and Artistic Works in June 1955.

After a general review of the difficulties arising out of programme exchanges the Committee decided to concentrate on the examination of two basic problems, the delimitation of repertoires with respect to international radio and television relays, and the use of television films.

A later article will be devoted to the first of these problems, a final solution of which is not yet to hand.

As regards the second item, which was finalised on 15th December as stated above, the Committee adopted the principle of an Agreement between member countries of the Council of Europe within the framework of the Berne Convention, under which the organisation making the television film would, in the absence of any contractual provision to the contrary, be granted the exercise of the rights needed to screen the film on television.

At its second meeting in Paris from 7th to 11th July the Committee of Experts worked out a draft Agreement on the basis of a document prepared by a working party that included the officers of the Committee and which had been convened earlier at the instigation of the Secretary-General of the Council of Europe and the Director of the International Bureau for the Protection of Literary and Artistic Works.

This Agreement defines television films as including both films made by cinematographic processes

for television and recordings of television programmes, whatever the process of recording used.

So as to avoid any difference in the law applying to films made by broadcasting organisations and that governing films made by outsiders for their use, the instrument inures to organisations that have obtained their films from an independent producer as well as to organisations that take the initiative in and responsibility for the films themselves.

It goes without saying that a television film does not benefit by the Agreement when it is used otherwise than on television.

As stated above, the object of the Agreement is to give broadcasting organisations the benefit of a presumption whereby, in the absence of any stipulation to the contrary, such organisations have the right to " authorise the exploitation of television films in the other countries which are parties to the Agreement ".

The expression " exploitation of the film " means the printing of copies, the circulation of such prints and the broadcasting of the film (or the copies) by the receiving broadcasting organisations.

The " contrary or special stipulations " of which the Agreement speaks are defined as " any restrictive condition agreed between the maker and the persons who contribute to the making of the television film limiting the extent of the authorisation, other than financial conditions ".

To date, nine countries belonging to the Council of Europe have signed the Agreement, seven of them subject to ratification and two unconditionally. In accordance with the Council's provisions the Agreement will not come into force until a third country has ratified.

It is therefore highly desirable that each broadcasting organisation should make representations to the authorities in its own country, either urging them to sign the Agreement if they have not yet done so, or pressing them for early ratification if they have signed it subject to ratification.

* * *

I cannot pass over in silence the extremely accommodating spirit shown by the experts and the representatives of the professional organisations concerned in seeing through a task which seemed at the outset to be fraught with difficulty.

On this occasion the Council of Europe has shown that it is able to reconcile widely divergent interests and find a common denominator in legal systems that are frequently very far removed from one another. This is a cheering thought at a time when the Common Market has just begun operation.

But I should be less than fair if I did not mention the leading role played by the EBU both in the preliminary elaboration of the problems and in the discussions of the Committee of Experts.

The Legal Committee has long given thought to the difficulties to which film law has given rise. It instigated the decision of the Consultative Assembly and its studies have been used as working papers in all the international bodies.

Its influence was strong on the Committee of Experts through the presence of its members, either in the capacity of government experts or as technical advisers to the titular experts.

It is a familiar complaint that lawyers' deliberations are often protracted, and that when they reach a conclusion events have sometimes overtaken it.

The fact of the matter is that their task is not an easy one in a world where the concepts of law differ profoundly from country to country.

One has to start from scratch—planting new ideas, husbanding their germination, weeding out the reactionary factors and harvesting (i.e. writing them into law) only when the fruit is quite ripe for plucking. All this calls for tenacious work behind the scenes, in the quiet of an office or a conference room. The results are not spectacular, and do not awaken the enthusiasm of the general public like the technical or artistic feats to which we have become accustomed on Eurovision. The fact remains, however, that they are nevertheless accomplishments whose importance can only be realised by those who are in the know.

The EBU deserves to be congratulated, therefore, for having realised how essential was its work in the legal field and for having enabled its Legal Committee to devote its time to a study of the problems that will shape the future of broadcasting and television.

UNESCO CONFERENCE ON PROGRAMME EXCHANGES :

EXCHANGES IN PROSPECT AND PROSPECTS OF EXCHANGES

by Paul GILSON

Artistic Director of the RTF

The same might be said of radio exchanges as of radio itself. There is a certain complacency about their advantages which is often to the detriment of attempts to increase their possibilities or improve their standards.

The total number of sets in use throughout the world is still sufficiently high to warrant continued optimism, provided they are not allowed to get lost in the crush or abandoned to their fate between the refrigerator and the vacuum cleaner. The ideal, of course, is to reach the highest possible number of listeners, but the future of

radio cannot for that matter be thought of in the same terms as that of a soul-destroying music box. There must be more attempts to serve radio instead of reducing it to the level of a servant. Its mere survival and progress must not be used as excuses for the abdication of the mind.

The last Unesco meeting in Paris afforded sufficient proof that programme directors are well aware of this. Indeed, this session lasting from 8th to 11th December 1958 offered the opportunity to study questions relating to cultural exchanges, in particular exchanges between the broadcasting organisations of East and West.

(Photo Lipnitzki, Paris)

Mr. Paul Gilson.

Thanks are due to Mr. Tor Gjesdal, Director of the Department of Mass Communication of Unesco, Mr. Walter Steigner, Chief of the Radio Division of Unesco, and their collaborators, Mr. Fernand Pouey, Mr. Rex Ketting and Mr. Garza, for taking the initiative in organising this meeting.

Mr. Gian Franco Zaffrani, Secretary-General of the RAI, was Vice-Chairman, and Mr. John Morris, former Controller of the BBC Third Programme, was Rapporteur. Others present included : Mr. Charles Gilliéron, Secretary-General of the EBU, Mr. J. Weiser, Secretary General of the OIR, Mr. Harry Zinder, Director of the Israel Broadcasting Service and Chairman of the Programme Committee of the Asian Broadcasters' Conference, Mr. Basil Thornton, Director of the Broadcasting Foundation of America, Dr. Paul Becker, Director of Radio-Salzburg, Mr. W. D. Schultz, Director of Exchanges, Norddeutscher Rundfunk, Mr. Valentin Dvinine, Paris correspondent of Radio Moscow, and Mr. Michel Robida, Director of the RTF International Services.

Not content with merely hoping that programme exchanges between East and West would be intensified before the convening of the conference to be held in Asia, the experts made every effort to prepare the way for such a conference.

There are, of course, many obstacles compromising the development of programme exchanges, and of these the most important are the differences in style and presentation which often render programmes entirely unacceptable. How are these difficulties to be overcome ? First, by inviting producers and authors to come either to the East or the West and collect the information and recordings necessary for the programmes they intend to produce in their own countries.

Unesco is at present preparing a regional study course in an Arabic-speaking country. The information obtained from such a project will probably facilitate other similar undertakings. At the same time, some of the Western research centres would probably welcome students from Eastern countries who are holders of Unesco fellowships, so long as these centres have no additional expenses to bear.

Even now, Unesco places at the disposal of broadcasting organisations recorded programmes and sound recordings accompanied by explanatory texts, to promote the production of programmes in any language. Specialists have been assured that a catalogue and index of these materials would shortly be available. Such programmes will not be of real value, however, unless they avoid equally the facile and the unattainable. Exchanges are only truly valid when they encourage radio stations to present programmes they are unable to produce by themselves with the same guarantee of originality, authenticity and quality.

There are other difficulties, however, besides those connected with the nature, style, form and duration of the programmes. The EBU has been faced with these obstacles for some time now and the very future of East-West exchanges demands that they be removed.

The main obstacle is the fact that copyright regulations are not the same in every country. The study of this problem is to be pursued in cooperation with the international broadcasting organisations and data will be collected on the conditions hampering exchanges. Here is the list of information to be supplied in respect of recordings as well as direct relays : 1. names and addresses of those responsible for exchanges in the broadcasting organisations of each country; 2. the language or languages in which programmes are available to interested organisations; 3. technical data on standards of recording; 4. customs facilities; 5. authors' and performers' rights.

Finally, the participants at this meeting on programme exchanges expressed interest in the possibility of a later meeting on the *relations between sound radio and television.* Such a meeting would be highly desirable at a time when, in the words of Léon Paul Fargue, one is often " struck by the multiplicity of opinions ".

What would be the theme of such a meeting? First, a comparison between listener density and the number of viewers at different hours of the day and night. This picture would show the shift of centres of public interest according to the type of programme broadcast on sound radio and television.

It would also be desirable to show the importance of that growing audience which listens to radio programmes on portable sets and sets in cars. The changes introduced in sound programmes since the development of television would be pointed out, and combined radio and television operations described, including experimental stereophonic transmissions by means of a television set and a VHF set. In short, all information and suggestions would be grouped together with a view to encouraging an exchange of ideas that would result in an improvement in radio programmes and an increase in the number of programme exchanges.

It is to be hoped the EBU will undertake this study which has every chance of contributing towards a new style for sound programmes and attracting the attention of millions of listeners. It is only to be expected, of course, that the progress of television will continue to be watched with care, but it would be a pity to leave sound radio with the mere ghost of a voice. Thanks to the gifts of immediacy and ubiquitousness, sound radio alone can bring instantaneously to the world at large reports of events in the remotest corner of the earth. Its power of suggestion remains intact, and this is proved most felicitously every year by the international competition of the *Prix Italia*. By the quality of its research and by its spirit of invention (particularly as regards frequency modulation and stereophony), sound radio must compel listeners to make better use of their imagination and listen with both ears instead of one. Otherwise, the bird might die in its tarnished cage.

INTERNATIONAL FOLK MUSIC COUNCIL

Seventh Meeting of the Radio Committee. — Meeting in Liège on 30th July 1958, the Radio Committee of the IFMC noted the following points [1]. Fuller details will be found in the *IFMC Bulletin*, No. XV, which will be issued in March 1959.

1. *IFMC Annual Broadcast Programme. 1957 Programme—Harvest and Threshing Songs and Music.* The Council's request for contributions had met with an excellent response and, as a result, a set of three 30-minute programmes had been distributed by the Radio Division of Unesco to some 85 countries. *1958 Programme—Traditional Folk Instruments.* Owing to the late receipt of many of the contributions, it had not been possible to assemble and distribute this programme before the end of 1958 as planned, but it was hoped to distribute it early in 1959. *1959 Programme*—The theme selected was *Children's Singing Games and Songs, i.e.* games or songs used *by* children, with particular stress on examples embodying vestiges of ancient rites. Recorded contributions are invited on this theme.

2. *Proposal for the Organisation of Joint Recording Expeditions.* Following suggestions by the Swedish Radio representative, the IFMC wishes to facilitate the organisation of cooperative undertakings in field work for the recording of authentic folk music. One such scheme is already in operation, the broadcasting organisations of Denmark and Sweden having planned a joint recording expedition to the Faroe Islands; the BBC and Norsk Rikskringkasting have been invited to send representatives to participate in this expedition.

3. *Radio Notes for the IFMC Bulletin.* The Committee wishes to draw attention to the possibility of exchange of information between radio organisations and others which is offered by the *IFMC Bulletin*. Broadcasting services are asked to send short notes giving any news they can offer on the subject of folk music programmes.

WORLD RED CROSS DAY

Annual Broadcast. — On the occasion of the meeting on 27th November last in preparation for the international Red Cross broadcast which has been given on 8th May for each of the last ten years, Radio-Genève welcomed the representatives of the broadcasting organisations and national Red Cross Societies of the following European countries : Austria, Belgium, Czechoslovakia, France, German Federal Republic, German Democratic Republic, Italy, Monte Carlo, Netherlands, Poland, Switzerland and the United Kingdom.

Representatives had also been sent by the European Broadcasting Union, the International Committee of the Red Cross and the League of Red Cross Societies, under whose auspices the broadcast is given, as well as delegates from the *Direction* of the Société Suisse de Radiodiffusion, the PTT, the Swiss Shortwave Service in Berne and the Berne and Lugano studios.

The lay-out of the programme, based on the experience of the last ten years, will be comparatively simple, opening with a multiplex radio hookup linking all the participants in the broadcast, followed by a split-up into separate linguistic sections, each handling the same general theme specially adapted to the tastes and customs of their audiences.

[1] See also *EBU Review* No. 47b, page 15.

NATIONAL

ALBANIAN PEOPLE'S REPUBLIC

Progress of the Broadcasting Service. — At present there are eight transmitters operating in Albania, we read in the last issue of the *OIR Bulletin*. The number of radio sets in use is eight times higher than in 1938, and in all parts of the country where electricity has been installed there are wired broadcasting centres with loudspeakers for collective listening. Some factories have their own broadcasting facilities.

In 1938 the daily broadcasting time of Radio Tirana was 2 hours 30 minutes, in 1955 it was 17 hours and now it totals 22 hours. About 60% of broadcasting time is taken up by musical programmes, and the percentage of Albanian music making up this total has risen in the last three years or so from 44% to 65-70%. Particular care is devoted to programmes for children, many of whom entered for a literary competition organised by the radio service. The children's section also organised successful performances by pupils and pre-school children. Scientific and literary programmes have been enriched. News broadcasts play a very important part, different types of programme being used to publicise, for example, the efforts of workers for the fulfilment in good time of the State plan, the commemoration of political events or anniversaries, and various campaigns. After the IIIrd Party Congress considerable care was devoted to rendering more attractive the programmes dealing with questions of economy, and special programmes were produced such as *Best Workers at the Microphone*, *Help New Agricultural Cooperatives*, and so on.

Radio Tirana broadcasts programmes every day in Russian, English, French, Italian, Serbo-Croat, Greek, Turkish, Arabic and Albanian (for Albanians abroad), over the new shortwave stations. Many letters about the programmes are received from listeners in other countries.

AUSTRALIA

Television Programmes for Schools [1]. — The Australian Broadcasting Commission began a television service in November 1956 and quickly established special entertainment sessions for children. These were followed in 1957 with *Kindergarten Playtime*, an educational programme designed for pre-school children which is quickly growing into a daily service. And in First Term 1958 (i.e. February-May) a limited experiment was conducted of television programmes for schools, comparable with those of Britain, Canada, France and many centres in the United States. The ABC felt that the attitude to educational television shown by so many broadcasting bodies could not be overlooked in Australia and that it was incumbent upon the national broadcasting service to explore the educational problems and possibilities of television under Australian conditions.

Organisation: The experiment was conducted in Sydney and Melbourne during the First Term of the school year 1958. Each centre devised and produced twelve programmes and these were exchanged by telerecording. Because of the time lag caused by the processing of the telerecordings, it was possible to repeat only eight programmes during the school term. Thus Sydney viewers saw the twelve original Sydney productions and eight telerecordings from Melbourne : Melbourne saw its own twelve programmes and eight from Sydney. All twelve original programmes in each centre were repeated by telerecordings in the evening programme to enable educationists, teachers, parents and others interested in the experiment, but unable to view during the day, to see what was being offered to schools.

Over twelve hundred reports were received covering day time transmissions and evening repeats. The basis of this report comes from these weekly comments supplied by teachers and others interested in educational television, supplemented by observations made by ABC officers and the Education and Liaison Officers of the Education Departments of New South Wales and Victoria.

Almost without exception, these reports indicated considerable care and thought on the part of the reporters. In certain instances, there was evidence of inconsistency within the reports and of misunderstanding of what was being attempted and, as might be expected, many of the comments cancelled out. But overall, as will become apparent later in this report, the reaction was clear and unmistakable.

The Programmes: (a) SYDNEY. — The Sydney series took the form of a miscellany under the general title of *The Wide World*. The programmes were directed to First and Second Year Classes of the Secondary School, but no attempt was made to relate them closely to particular courses of study being undertaken by these groups. Rather, the intention was to explore generally the potentialities of the medium and, insofar as this was possible with a limited experiment, to ascertain how, and in what fields, television might most effectively aid the classroom teacher.

The twelve topics finally decided upon were : An account of native life in Papua-New Guinea with particular attention to the effects of white civilization; The bushfire problem in Australia; History as a human story —illustrated through the Eureka Stockade incident; The chemist in industry; Life among the Australian Aborigines; A social studies programme on Indonesia and the mode of life; Commercial and industrial design;

[1] This report has been kindly sent to us by the ABC.

Putting on a play in the classroom; The story of a Colombo Plan student; Pottery as a form of handcraft; The instruments of a string quartet; An introduction to the language through the life of the people (France).

(b) MELBOURNE. — The programmes in Victoria formed two distinct series each presented at fortnightly intervals. One, *Nature Notebook*, was directed to the same forms as the Sydney series (i.e. First and Second Years), the other, *Science Today*, was slightly more advanced. The topics in the series were : *Nature Notebook :* Sea Shells; Some Australian Mammals; Fruits, edible and inedible; Teeth; Snakes and Lizards; Birds; *Science Today :* Beyond the Microscope; The Weather Bureau (1) Obtaining the Information, (2) Using the Information; The Physiology of the Athlete; Life on the Seashore; Under the Lens.

Compilation and Presentation : The programme series were designed by officers of the Youth Education Department of the ABC with assistance from groups of teachers and the Education and Liaison Officers of the Education Departments. For several months before the programmes began the composition of each series was the subject of constant discussion which continued until each title was included in the official programme layout about nine weeks before the date of transmission. From then on the devising of each programme was the responsibility of a single Youth Education officer who placed his plans each week before his colleagues for comment and criticism. At this time also a television producer from the producers' pool was allocated to the programme and he and the officer-in-charge of the programme worked together until the time the session went on the air.

The duty of the departmental officer was to set out clearly the educational objectives of the programme and devise a format that would ensure that these objectives were attained. He was responsible for finding the special speakers, for evolving, with their assistance, the shape of the session, for conceiving the particular types of visual illustration that would most effectively present the main points to be made and for keeping the expenditure within the allocation already made for the programme.

The producer worked closely with the devising officer in coaching the special speakers, in ordering and supervising the preparation of film inserts and graphics, and in compiling a script that would accurately and artistically present the material so gathered.

Schools : Schools to participate were selected following discussion with the authorities concerned. Generally they were selected in a way that would give a good geographical scatter within the areas of reasonable reception, but consideration was also given to selecting schools of varying types in the post-primary field. Altogether 32 schools were chosen in Sydney and 40 in Melbourne.

In addition, in each centre a few schools known to be already equipped were invited to participate, and these submitted a number of reports.

Equipment : To conduct such an experiment as this, it was necessary to find means of equipping with receiving sets a number of schools which would agree to view and report. Fortunately, the manufacturers of television receiving equipment, operating through the Electrical and Radio Development Association in New South Wales and the Electrical and Radio Federation of Victoria in that State, agreed to co-operate in the experiment by the loan of receivers. In all, 80 sets were installed in the selected schools and were insured and maintained by the manufacturers.

Viewing Conditions : The size of the screens varied from 17″ to 27″ and only two schools complained that conditions were less than satisfactory at the rear of the rooms. It would seem that a 21″ television screen can satisfactorily serve an average sized classroom, although 17″ screens were used with groups of 45, 48 and even up to 60 pupils without adverse comment. In most cases, students were seated within a radius of 30 ft. of the set.

In eight schools in Sydney, two sets were installed in one room to measure the effectiveness of these as against one set. From comments received it would seem there is no significant improvement in vision or sound resulting from the use of a second set.

In reply to the question " Did you darken the room ? " most schools replied that they had, but in most cases this consisted only of such simple measures as drawing the blinds. A number of teachers added hoods to the screens on their sets and these were sufficient to exclude natural light to the extent required to obtain effective definition.

Thus it would seem that if steps are taken to exclude some of the natural light, an average classroom is quite suitable for television viewing from a normal 21″ screen without extensive rearrangement of seating.

Supplementary Material : Teachers' Notes were supplied in advance for each programme in both series. In their final appraisal on the experiment, few schools commented strongly either favourably or adversely, but frequent reference was made to the need for some form of advance information that would enable a teacher to take a programme effectively with an organised group. The amount of information required would, of course, vary according to the character of the series.

One of the outstanding features of the reaction from schools was the insistence that television programmes must adhere closely to the prescribed syllabus. It would seem that unless secondary school teachers are convinced that the material will be relevant to the prescribed syllabus, they will not willingly set aside time for viewing from a limited time allotment per subject.

There was no suggestion that Pupils' Sheets or booklets are necessary at the secondary level for the effective use of a television programme.

Value of the Programmes as a Teaching Aid : Only one General Appraisal report expressed the view that tele-

vision could not add anything to classroom teaching. The other 67 reports agreed that television can make a useful contribution to teaching procedures, but some had provisos regarding relevancy to the prescribed syllabus, undesirable ' lecturing ' presentation, and a comparison of this medium with the use of films in the classroom. Such qualifications are both understandable and useful. The prescribed syllabus is important in the Secondary School where the goal is usually closely connected with some form of examination. Poor presentation should not be permitted; that it appeared in these programmes was due more to the inexperience of all concerned in the earlier days of the experiment than to a failure to understand why it should be avoided. And a comparison with classroom films is inevitable during that period when television is developing its own particular techniques.

As against these qualifications, however, there was much that pointed to positive value :

(i) the obvious impact of a combined audio-visual appeal through a medium that is becoming part of the accepted idiom of the average child.

(ii) the value of up-to-the-minute supplementary material and first hand topical matter presented in a vivid, easily understood manner.

(iii) the importance of illustrations particularly in topics where verbal instruction can easily lead to confusion;

(iv) the promotion of discussion by the provision of illustration and back-ground material at first hand in a way that gave an element of realism to lessons;

(v) the ease with which visual aids could be brought into the classroom and incorporated in a teaching procedure;

(vi) One school summed up fairly accurately the views of many secondary school teachers as they were expressed in these reports :

" They (the children) have gained a *wider* knowledge, especially ' background '. They have generally a deeper *interest*. The disadvantage—slower progress and possibly lower examination results because of time lost viewing."

Ways in which the Pupils Benefited: A comprehensive assessment of direct pupil benefit is obviously impossible and all that can be done is to reproduce subjective opinions offered by teachers. These seem to indicate that the programmes did arouse interest in the topics treated and there was some evidence such as the increased use of the library and the carrying out of experiments at home to support this. Some comment was also offered on the effectiveness of television in putting curriculum topics into a broader perspective. A third suggestion was that children who had had the advantage of viewing educational television programmes and of discussing them with their teachers and fellow pupils would be likely to show more discrimination in viewing the general programmes available.

Suggestions for future Programme Topics: The request for ideas for future programmes produced a surprisingly wide variety of fields. But, at the same time, there was a marked similarity between the lists received in Sydney and Melbourne. Organised under wide headings, the principal suggestions were : *i.* Social Studies (65), *ii.* Science (46), *iii.* Literature and Drama (32), *iv.* Arts, Crafts, Hobbies (15), *v.* Foreign languages (12), *vi.* Music (10).

Other suggestions related to Vocational Guidance, Health, Physical Training and Athletics, Mathematics, Commercial subjects and Home Economics.

Suggestions for improving future Television Programmes: It was evident in reading suggestions under this heading that many of the teachers were conscious of their own lack of knowledge of the potentialities of the medium. This was understandable, however, seeing that television had been established in Australia little more than twelve months before the experiment took place.

The following suggestions were typical of those received :

— The speaker should play a less prominent part in programmes, or should have a more suitable personality. (Some schools questioned the wisdom of allowing the main speaker to be seen at all.)

— Television should seek out and present Australian topics which are not already covered by film strips and films.

— Humour is important and an effort should be made to give relief and variety and lift the programmes by the judicious use of a little humour.

— Superimposed captions to fix proper names, unusual words, etc. are desirable.

— Recapitulation, even if brief, is a valuable adjunct to any programme.

Conclusions: The initial television experiment evoked considerable interest both from the participating schools and among teachers generally. Reports from schools were constructive, if critical, and they have provided sufficient evidence to be able to draw quite a number of conclusions.

1. Reporters were virtually unanimous that television programmes would be of educational value to schools. Nobody seriously questioned the efficacy of the medium as such, though there were qualifications. These, however, were usually related to problems peculiar to the secondary school (the examinations system, complicated timetables, specialist teachers, etc.). In many of the schools visited, teachers made such a point of the necessity for television programmes to be closely connected with the course of study that it might not be possible to meet these demands and maintain a true experimental approach to future series.

2. Television programmes must not be planned as class lessons. They should supplement the work of the

teacher and this means that close co-operation between broadcasters and teachers is most necessary at the planning stage. This is the more important as evidence seems to suggest that many teachers still do not appreciate that there might be a difference between a radio or television programme and a classroom lesson.

3. Variation of presentation is needed if the children's interest is to be held. It is not sufficient to rely on the personality of an individual speaker. Movement and activity are essential if programmes are to provide completely absorbing experiences. There would appear to be little future for the interviewer or 'talking face' unless the discussion or explanation is centred around some activity going on at the time.

4. In the matter of illustrative material, an overwhelming preference was revealed for the moving picture or animated graphic. But the selection of film presents problems. Much of the film used was criticised as being too detailed or too cluttered for the small screen. Close-ups and slow motion shots are wanted and the film praised was almost invariably that shot specifically for the programme.

5. Adequate advance information to teachers is necessary if television programmes are to be fully effective in schools. Such information would also enable teachers to assess the relevancy of the material and to plan their work so that the individual programme fits logically into the development of the topic in the classroom.

6. In view of the special problems associated with experimental sessions in the secondary school (see 1 above), it might be wise to conduct the next experiment at the primary level where there is greater flexibility of syllabus and organisation.

7. It would appear that the optimum duration of a school television programme would be about 20 minutes.

General: Television is a distinctive medium of education in the school despite its affinities with sound broadcasting and the cinema. It is first of all broadcasting and possesses the power and limitations of broadcasting. It is also a visual medium like the film. Its distinctive character lies in its much closer integration of visual image and spoken word than is usual with the standard film, and in the freshness, immediacy and accessibility of its programme. For each programme the proper people, and up-to-date illustrative material, including selections from a range of existing films, can be assembled. This material can be available to every school equipped with a receiver at the simple throwing of a switch. Television in the school is not a substitute for radio or film and should not be considered as in competition with these media. It is a distinctive and complementary vehicle of education and of teaching assistance in the classroom.

Like radio and cinema, television demands special techniques of design, production and classroom use. The prime object of the first ABC experiment in school television was to provide the opportunity for initial experience in these two essential directions. Until programme designers, producers, and classroom teachers had made practical contact with the medium, their thinking and opinions were theoretical and unrealistic. Their techniques were consequently uncertain and unduly influenced by the superficial resemblance between television and radio or cinema. The analysis following the transmission of each programme to the schools led to conclusions from the experiment at both the production and receiving ends and the endeavour to remedy weaknesses as they were disclosed.

The experience gained from the initial experiment will now be applied in subsequent series of experiments where the field will include at the production end a wider range of programme ideas and a marshalling of the resources of television, and at the receiving end a closer study of the educational content of the programmes together with its integration with the work of the class to which it is addressed.

The next experimental series was held in Sydney and in Melbourne during Third Term 1958, and was designed for use by the Upper Grades of the Primary School.

BELGIUM

Popular Education and the Responsibilities of the Techniques of Communication. — The Belgian province of Hainaut celebrated its *Journée du Citoyen* on 14th December last. This is an annual event which forms part of the campaign waged for almost half a century to raise the cultural standards of the population. It was the occasion for an international symposium on *Popular Education and the Responsibilities of the modern Techniques of Communication: Cinema, Press, Radio and Television*, introduced by the director of the provincial Institute of Education and Leisure. In a broadcast speech, the Governor of the Province demonstrated how these techniques can promote the teaching of civics to the young, encourage relations between nations, and generally accomplish a mission of exceptional importance to popular education, provided they are placed in the hands of men worthy of the name. Among the addresses were those of Mr. R. Williams, extra-mural lecturer at the University of Oxford, and Mr. J. Rovan, vice-chairman of the movement of popular education *Peuple et Culture* and Unesco expert, who spoke on the part to be played by television in popular education.

The screening of French, Italian and Belgian films of a high technical standard and great scientific significance rounded off the programme of this *Journée*.

Training Courses for Tele-Club Leaders. — The Province of Liège, in collaboration with the *Société d'Etude et d'Expansion de la Télévision*, is organising courses for leaders of tele-clubs free of charge. They started in January and are due to finish at Easter.

The courses, which are given at the rate of one three-hour evening session a week, are open to specialists in popular education, members of the teaching profession, boarding-school supervisors, leaders of youth groups, and others. As the number of students who could be admitted was limited, selection was based on the aptitude of the candidates for the work of a tele-club leader.

These courses are placed under the control of the Ministry of Public Education and include lectures dealing with such subjects as : the basic principles of television, group psychology, schools television and the practical organisation and administration of a tele-club; they include practical demonstrations and visits to television studios. The Secretary-General of the S.E.E.Tv., Mr. Renaud Strivay, and the Director of the Education Authorities of the Province of Liège, Mr. J. Charlier, are among the lecturers.

A diploma will be awarded on the results of a practical test to be given at the end of the course.

CZECHOSLOVAKIA

Listeners' Consultative Body. — Delegates from leading Czechoslovak enterprises, cooperative farms, schools, military units and cultural institutes, as well as housewives and radio listeners from towns and villages recently took part in a conference of listeners to discuss the programmes of light and dance music, according to *OIR Information*, No. 23. A listeners' consultative body was formed, attached to the Czechoslovak Radio and Television Committee which will render account of its activities to this new body. All Czech and Slovak regions are represented on the body which includes members of all sections of the community.

FRANCE

Important Changes in Rates of Broadcast Licence Fees. — The text of Article 121 of Ordinance No. 58-1374 of 30th December 1958 runs as follows :

" As from 1st January 1959, the rates of the licence fees in respect of the use of sound and television receivers of all categories shall be fixed by decree arising from the report of the Minister for Broadcasting and the Minister of Finance and Economic Affairs.

The Minister for Broadcasting is hereby authorised to bring into effect as from 1st July 1959 a new formula to be applied to the licence fee in respect of the use of television receivers of the 2nd category [1] in accordance with the following conditions :

The charge for the licence fee in respect of the use of television receivers of the 2nd category shall be raised to 7,500 francs;

This fee shall cover the use of all sound and television receivers owned by one and the same person and in one and the same dwelling place when the home is composed exclusively of the husband and wife and their dependent children."

[1] Under the terms of the decree of 11th November 1958, television receivers of the 2nd category are those owned by individuals in a private capacity. (Ed.)

The New Pattern of RTF Sound Programmes. — Changes in the sound programmes tending towards greater specialisation in general and a modification of the style of *France I* were announced at the end of 1958. A brief summary gives a broad picture of these programmes since the beginning of this year [1].

France I

France I continues to broadcast for 24 hours a day, offering two main types of programme based on listening conditions : (1) *06.15. to 19.15 hours* — programmes on gramophone records for the general public, arranged in sequences of about three hours each and presented by an *animateur* who introduces a personal touch and includes some items of news and a selection of telecasts and broadcasts from the other RTF programmes. From 18.15 to 19.15 hours every day the latest popular records are presented, and in general the time devoted to news is slightly reduced. (2) *21.00 to 24.00 hours* — After *Paris vous Parle* from 19.15 to 19.45 hours, a transitional programme lasting for three-quarters of an hour is devoted to special recordings, and at 20.30 hours the *Tribune de Paris* is on the air. Then at 21.00 hours, and according to the day of the week, there are concerts from abroad, music programmes, variety, broadcasts on literature, opera, recitals by great artists, concerts by the *Orchestre National*, drama and, on Saturdays, a gala variety programme.

Programmes usually given with the assistance of foreign broadcasting organisations have been maintained and *Route de Nuit*, broadcast after midnight, continues to be heard. A programme devoted to literature is broadcast every day between 22.15 and 22.30 hours and the Sunday afternoon programme *Dimanche dans un Fauteuil* still goes on the air at the same time.

France II

The variety programmes broadcast in the mornings by the Paris and Nancy transmitters have been stopped and in their place there are now morning programmes, devoted to one particular theme : orchestras, folk music, reportages, variety, etc. After mid-day the former pattern remains unchanged and the programme consists mainly of variety. In the evenings, special attention is paid to closer coordination between the programmes of *France I* and *France II*.

France III

No important changes have been made to *France III* which remains essentially a cultural programme.

[1] Readers may wish to compare these changes with the RTF structural reforms introduced at the end of 1957 which were reported on in *EBU Bulletin* No. 46, pages 682-5, and *EBU Review* No. 47b, page 18.

VHF Programme

Certain music programmes hitherto heard on *France I* have been transferred to the VHF programme. At other times, producers and composers on *France I* may be called upon to adapt their style generally to that of the VHF transmissions.

Tenth Anniversary of Religious Broadcasts on Television. — The celebration of Mass televised at Christmas from the Mont Saint-Michel [1] was an outstanding event and was the first occasion on which midnight Mass had been televised in the vast nave of the Abbey. The weekly *Télé-Magazine* links the importance of this event with the commemoration in Notre-Dame in Paris, on 11th January, of the tenth anniversary of French Catholic television. During these ten years, we read, the French Committee of Religious Television has been responsible for the Catholic television programmes of the RTF, reaching a total of 750 hours. In 1957, permission was obtained from the ecclesiastical authorities to install television facilities on a permanent basis in the church of the Annunciation in Paris, and the Catholic information programme which is broadcast after Mass every Sunday originates from an adjoining hall which has also been specially fitted up.

It is now the intention to organise programmes from all the great cathedrals in turn, in order to make known to the public the chefs-d'œuvre of French architecture. So far, reportages presenting Lourdes, Chartres, and Mont Saint-Michel have been broadcast. Television fulfils a two-fold aim, comments *Télé-Magazine*, when Mass is televised from the lovely old cathedrals of France, the broadcast from Mont Saint-Michel having shown how well the cameras can reflect the beauty of the architecture.

Plans for the future include the following : the services during Lent will be taken by the best-known French cardinals, and those during Advent will be led by the *Petits frères du Père de Foucault* when the work of certain of the *frères*, for example, those who share the lives of prisoners, will be brought to the forefront of the scene.

GERMANY (Federal Republic)

Death of Dr. Hans Bredow. — We announce with regret the death of Dr. Hans Bredow on 9th January 1959 in Wiesbaden at the age of almost eighty. Known as " the father of the German radio ", Dr. Bredow was the founder of broadcasting in Germany and played the leading part in the development of the service from its very beginnings. He worked unceasingly throughout his life to imprint the ideal of independence upon German broadcasting and his name was respected in broadcasting circles far beyond the frontiers of his own country.

From 1949 until 1951 he was President of the Administrative Council of the Hessischer Rundfunk, and on his 75th birthday was awarded the *Grosse Verdienstkreuz mit Stern* of the Order of Merit of the Federal Republic. He was the author of several books on broadcasting in Germany.

The EBU expresses its sympathy to the *Arbeitsgemeinschaft* of the West German broadcasting organisations.

Communiqué of the ARD : Television Coordinator and Financial Equalization Fund. — The *Arbeitsgemeinschaft* of broadcasting organisations of the Federal Republic of Germany during its two-day meeting in Frankfurt on 9th and 10th December 1958 unanimously elected the television director of the Bayerischer Rundfunk, Dr. Clemens Münster, to be President of the Television Programme Conference (Coordinator) for the year 1959. Dr. Münster accepted this task and took over the office from last year's coordinator, Dr. Jedele, on 1st January 1959. It was agreed that the position of coordinator should be strengthened. In particular, measures have been taken to ensure that an adequate programme reserve will be available in future. In the light of experience, improvements have been made in the organisation of the work of the coordinator.

The ARD further decided unanimously upon a financial equalization *(Finanzausgleich)* between the broadcasting organisations, thereby solving a problem which has given rise to much public discussion in recent months. Under this agreement, which will in the first place run for three years with the possibility of extension, an equalization fund will be set up to meet the expenses of joint operations of the broadcasting organisations as well as operations of individual organisations. The yearly amount will be fixed by a committee and may reach the sum of 18 million DM. The contributions of the broadcasting organisations have been determined as follows : Westdeutscher Rundfunk 49%; Norddeutscher Rundfunk 23%; Bayerischer Rundfunk 17%; Südwestfunk 5.5%; Hessischer Rundfunk 3%; Süddeutscher Rundfunk 2.5%.

In addition to the recognised joint operations such as the financing of the long wave transmissions, the *Institut für Rundfunktechnik*, the training of radio and television engineers, etc., the grants to Saarbrücken, Bremen and Berlin were declared to be a joint concern. During the next three years the Saarländischer Rundfunk will receive a further 10 million DM, largely for the construction of a broadcasting house in Saarbrücken, and Radio Bremen roughly 4 million DM for the development of its programme production. With regard to the Sender Freies Berlin the following decisions were taken :

1. The amount required from the fund by the Sender Freies Berlin will be examined by the Financial Equalization Committee, which will take into account the opinion of an impartial expert.

2. The result of this examination being reserved, the Sender Freies Berlin will receive, for the financial years

[1] See *EBU Review* No. 52b, page 14.

1959 to 1961, the yearly sum of 1.5 million DM for the development of its programme production.

3. The ARD agreed that television expenses of paramount importance should be considered as additional obligations of the fund. The solution of problems arising out of the special situation of Berlin and the area covered by the Sender Freies Berlin shall be deemed to justify expenses of paramount importance.

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From *Kirche und Rundfunk* of 19th January we learn that Dr. Münster, the new television coordinator, has the following colleagues to assist him in his work : for television drama, Dr. Werner Pleister (NWRV); for documentary films and features, Mr. Lothar Hartmann (SWF); for sport, Mr. Robert Lembke (Bayerischer Rundfunk); for cinematograph films and the purchase thereof, Dr. Hans Joachim Lange (Hessischer Rundfunk). Dr. Münster himself is responsible for the entertainment side of the programmes.

News of Commercial Television. — On 1st January 1959 the *Süddeutscher Rundfunk* joined in broadcasting the daily commercial television progamme which was inaugurated by the Bayerischer Rundfunk on 3rd November 1956 and was later taken also by the Hessischer Rundfunk, the Südwestfunk and Sender Freies Berlin [1]. The SDR has decided to transmit the programme for one year to start with, and during 1959 will not undertake the production of any commercial broadcasts of its own. With the addition of the SDR to the organisations taking this programme *(Zwischen halb und acht)* all viewers in south and south-west Germany as well as in Berlin can now be reached by commercial television.

The Broadcasting Council of the *Sender Freies Berlin* has been informed by the supervisory body of the Berlin Commercial Television Company Ltd. that the daily advertising time of six minutes originally agreed upon for the year 1959 is fully sold up through the participation of the several broadcasting organisations. In order to give Berlin firms a chance to advertise on television, the Broadcasting Council has therefore agreed to increase the daily time for advertising by from one to three minutes.

In January the Broadcasting Council of the *Südwestfunk* held its first meeting of the year when a major part of the discussion centred around television. The following recommendations concerning commercial television in the Südwestfunk programme were made : *(i)* there should be a clear separation between the commercial programme and the evening programme of German Television; *(ii)* the commercial spots broadcast during the half-hour commercial television programme should be kept within the time limits agreed upon in the contract; *(iii)* the Broadcasting Council is opposed on principle to commercial broadcasts on Sundays and to the consequent possible change in the time of the *Wochenspiegel* (weekly news report); *(iv)* the appearance of well-known television actors in the commercial programme *and* the evening television programme on the same day should as far as possible be avoided.

The *Norddeutsche Werbefernseh GmbH* (North German Commercial Television Co. Ltd.), which was founded in Hamburg in October 1958, is responsible for the commercial television programme in the reception areas of the *Norddeutscher Rundfunk* and *Radio Bremen*. It will start its programme on 1st April 1959 over the transmitters in Hamburg, Cuxhaven, Flensburg, Kiel, Lübeck, Hanover and Harz, and Bremen-Oldenburg for Radio Bremen. At first, we learn from *Fernseh-Informationen*, until the company can produce its own programme it will take the half-hour transmission *Zwischen halb und acht*, broadcast by the south and south-west German broadcasting organisations and Sender Freies Berlin.

Also on 1st April 1959, *Westdeutsche Werbefernseh GmbH* will begin a commercial programme over all the transmitters of the *Westdeutscher Rundfunk* (Bonn, Wuppertal, Langenberg, Cologne and Teutoburger Wald). Six minutes during the half-hour from 19.30—20.00 h. will be available for advertising, within the framework of an entertainment programme. This commercial half-hour lies between the WDR's regional programme *Hier und Heute* and the evening programme of German Television.

INDIA

Revised Rules for Radio Licensing. — Rules and regulations for the licensing of broadcast receiving sets in India have been revised and the new regulations came into effect on 1st November last. The changes are aimed at simplifying existing procedure and providing for a stricter check on unlicensed reception.

A separate licence is now necessary for each set in a household and this licence must be obtained before purchase and presented to the dealer from whom the set is bought. Post offices issue licences in advance on the strength of a certificate of intended sale from the dealer.

Radio licences are now transferable and in the event of the sale of a set by its owner to another person, the new owner takes over the licence after the appropriate changes have been made to it.

The mere possession of a radio set must be covered by a licence, even if the set is not in use. If the set becomes irreparable, exemption from renewal of the licence may be granted after verification.

NETHERLANDS

Seventh International Course for Orchestral Conductors. — The Nederlandse Radio Unie (NRU) plans to hold its seventh annual international course for

[1] See announcements in *EBU Bulletin* No. 39, p. 730, No. 41, p. 75, and No. 46, p. 736.

orchestral conductors from 22nd June—24th July 1959. As was the case last year, 20 working students will be admitted to the course, of whom 12 may be subjects of the Netherlands. The age limit for students remains at 36. A number of "listening" students will again be admitted.

The direction of the course is once more in the hands of the Music Section of the NRU, assisted by an advisory council of five members, and the instructors this year are Willem van Otterloo and Franco Ferrara.

Applications must be made before 14th March 1959. Further details may be obtained from the NRU, P.O. Box 150, Hilversum, which has issued an attractive prospectus in French and English.

NEW ZEALAND

Appointment of New Director of Broadcasting. — Following the retirement of Mr. William Yates, C.B.E., from the post of Director of the New Zealand Broadcasting Service, his successor has been appointed in the person of Mr. J. H. E. Schroder.

At the same time the organisation of the Service has been altered slightly to provide for two Assistant Directors, one to control administration (Mr. G. H. Stringer) and the other in charge of programmes (Mr. J. H. Hall).

NORWAY

Chairman of the National Broadcasting Council. — The term of office of Mr. Reidar Kjellberg, chairman of the National Broadcasting Council of Norsk Rikskringkasting, expired on 31st December 1958. The new chairman appointed by the King in Council is Dr. phil. Eva Nordland, lecturer at Oslo University, who is the first woman to hold this office.

Death of Mr. Olaf Moe. — We announce with regret the death on 16th November 1958 of one of the pioneers of Norwegian broadcasting, Mr. Olaf Moe, Technical Director of the Radio Office of the Telecommunication Administration and this institution's representative on the Board of Norsk Rikskringkasting for a number of years.

Distinguishing himself by his extensive knowledge and marked ability as a negotiator he was during the years 1934—1940 a member of the technical committee of the *Union internationale de Radiodiffusion*, and was also chairman of or delegate to many international radio conferences (1937-1952). He was awarded the Norwegian Order of Merit in gold as well as several foreign decorations.

The EBU expresses its sympathy to Norsk Rikskringkasting.

Norsk Rikskringkasting Annual Report 1957-58. — Some facts and figures from the annual report for the year ended 30th June 1958 have been communicated to us by the Norwegian broadcasting organisation.

A total of 4,570.6 programme hours, or an average of 12½ hours per day, was broadcast throughout the year, as compared with 4,548.1 in 1956-57. Of this, 1,895 hours were devoted to music, followed by news bulletins (960.4), talks and educational broadcasts (434.1), variety (299.5), children's programmes (223.5), religion (189.8), sports (112.5), broadcasts to schools (95.8), drama, etc.

The official programme review *Programbladet* sold on an average 155,460 copies.

Programme expenses anounted to Kr. 7,598,893.54; technical operations coming under the PTT totalled Kr. 5,339,069.58, and those assumed by Norsk Rikskringkasting for its transmissions accounted for Kr. 731,945.26. Overhead charges (including salaries) amounted to Kr. 10,200,522.97, State taxes to Kr. 400,000, and installation and replacement of equipment to Kr. 2,100,000. The main income came from licence fees (Kr. 23,372,597.06) and from the purchase tax on the sale of sets (Kr. 5,741,575.14).

On 30th June 1958, there were 963,449 licence holders in Norway and 12,246 listeners exempted from the licence fee. The amount of the fee is fixed at 25 Kr. a year and approximately 5% of listeners benefit from a reduction, paying only 5 Kr. a year. Some 28,000 listeners are now benefiting from the measures taken to reduce the costs of operating battery receiving sets. Each year a certain sum is deducted from broadcasting receipts to reduce the selling price of batteries for listeners living in districts not yet provided with electricity. In addition, a Radio Gift Fund deriving its income from fees paid in return for the playing of listeners' requests in a weekly record programme enables sets to be lent to listeners who are poor, blind, or otherwise handicapped. At the end of the year under review, the Fund had 7,620 sets at its disposal and most of the beneficiaries are exempt from the licence fee.

During 1957-58, about 140 hours of symphonic music were broadcast by the Oslo Philharmonic Society and the *Harmonien* of Bergen, either as retransmissions of public concerts or studio concerts. Norsk Rikskringkasting's own orchestra of 30 musicians broadcast 134.9 hours of light music and the most important recitals and concerts of the Bergen Festival were broadcast [1].

Developments in the field of television are continuing according to plan. On 30th June 1958, staff numbered 13 and the number of licences totalled 235. A fee of 5 Kr. per year in addition to the radio licence fee is charged for use of a television set. Programmes consist mainly of experimental transmissions at the moment. During the World Ice Hockey Championships in Oslo in 1958, nine of the competitions were televised and reception was very favourable around Oslo and up to a distance of 110 km. from the temporary transmitter of Tryvasshögda.

[1] See *EBU Review* No. 50b, p. 17.

SWEDEN

Sveriges Radio Staff Appointments. — As from 1st January 1959, the Television Programme Director of the Swedish Broadcasting Corporation, Mr. Henrik Hahr, has been commissioned to assist the Director-General, Mr. Olof Rydbeck, in the handling of central questions relating to radio and television programmes and organisation. Mr. Hahr has been succeeded as Television Programme Director by Mr. Nils-Erik Baehrendtz, formerly Head of the Spoken Word Department. Mr. Per-Martin Hamberg is in charge of the central television programme department and acts as deputy to the Programme Director to whom he is responsible for both day-to-day and long-term programme planning.

Mr. Hahr's duties include the maintaining of foreign contacts on behalf of radio and television in collaboration with the External Relations Office of Sveriges Radio, and the handling of matters connected with the activities of the European Broadcasting Union.

The Swedish Broadcasting Corporation is making efforts to reshape its provincial organisation and render the decentralisation of programme production more effective. Part of Mr. Hahr's work is concerned with these efforts as well as the organisation of the basic and advanced training of personnel employed both in television and radio.

A special programme committee has been formed under the chairmanship of Mr. Rydbeck for sound radio and television. The committee meets once a week to discuss general lines of policy, political programming, seasonal planning and the long-range structure of radio and television programmes.

SWITZERLAND

Reorganisation of SSR Programme Services. — The General Assembly of the Société Suisse de Radiodiffusion, meeting in Berne on 20th December last under the chairmanship of the President, Mr. Willy Spühler, approved the budget for 1959. The gross income from sound licence fees (26 francs per licence) calculated on the basis of 1,363,000 (+ 24,000) subscribers is estimated at 36.2 million Swiss francs. Of this sum, 30%, i.e. 10.62 m. (+ 400,000) will go to the PTT, and 24.78 m. (+ 1.7 m.) to the SSR.

The budget of the television service provides for an estimated expenditure of 8 million francs, to be covered as follows: 3.4 million from television licence fees (84 francs), 2 million from the Society for the Development of Swiss Television (in consideration of the prohibition of paid advertising on television), and the overdraft of 2.6 million francs to be covered by an appropriation from the loan advanced by the Confederation [1].

[1] See *EBU Bulletin* No. 45, p. 617, and No. 46, p. 740.

The General Assembly then approved the plan for reshaping the programme services submitted by the Director-General, Mr. Marcel Bezençon. This plan aims at a better coordination between services of a similar type in the various studios of one and the same linguistic region. It is to be achieved on the basis of the following principles.

1. One studio director in each linguistic region will assume responsibility for certain types of programmes.

2. Programmes will be produced by the staff of the various studios according to instructions from the director of the central studio *(Vorort)*. The staff responsible for planning in the different programme services will be grouped in the central studio.

3. When the new arrangements come into force, the production of programmes requiring a limited number of staff (international news broadcasts, sports programmes, etc.) will, wherever possible, be in the hands of one single studio per linguistic region.

4. The proposed adjustments are to be made within a period of two years and will be carried out in conformity with the plans submitted by Beromünster and Sottens and approved by the Central Committee.

On the basis of these principles, the member societies drew up the following plans for studios serving the same transmitter.

Plan of the national transmitter of Beromünster (Studios of Basle, Berne and Zürich).

The *Vorort* system is to be introduced at Beromünster in two stages. During the first stage, six programme categories will be organised along the lines of the new system and assigned to three studios, planning and preparation for this stage beginning on 1st January 1959 and the changes coming into force on 4th May 1959 with the start of the summer programmes.

During the second stage, other programmes are to be brought into line with the new system and assigned to three studios. Preparations for this stage will begin as soon as possible and the changes are due to become effective on 1st May 1960 with the start of the summer programmes.

Assignment of programmes to the Beromünster central studios

FIRST STAGE

1.	Sport	Zürich
2.	Programmes in Romansch	Zürich
3.	Religious broadcasts	Berne
4.	Agricultural programmes	Berne
5.	Women's programmes	Basle
6.	Jazz	Basle

SECOND STAGE

1.	Classical music	Zürich
2.	Literature	Zürich
3.	News, political and economic broadcasts	Berne
4.	Children's and young people's programmes	Berne
5.	Variety	Basle
6.	Cultural broadcasts (excluding literature, but including all other broadcasts connected with this field; the other studios are at liberty to include their programme categories under this heading, provided they lend themselves to such treatment).	Basle

The *Vorort* system is not to be applied at the moment to drama and regional broadcasts where the system of coordination at present in force is working satisfactorily.

Plan of the national transmitter of Sottens
(Studios of Geneva and Lausanne)

Each of the directors will have special responsibilities. The system of " horizontal broadcasts " will be used whenever it seems logical or when the need for maintaining continuity demands such use.

Radio Geneva will be responsible for music broadcasts and Radio Lausanne for drama. Programmes falling into the broad category of the spoken word (excluding drama) are to be divided into two series, and each of the directors will be entirely responsible for one of these series. Responsibility for variety programmes will be shared, alternating each year between the two studios.

A central office for the engagement of artists is to be set up and placed in the charge of one or other of the two studios.

News broadcasts are to be shared between the two studios until the question has been studied in more detail.

The new system does not affect the *Lugano studio*, which serves a whole linguistic region on its own.

The report of the *Direction Générale*, adopted by the General Assembly, provides further for an increase in programme exchanges (concerts, scores, information, manuscripts and documentation). It recommends that foreign artists and ensembles, whose fees are often extremely high, should be engaged once only and their performances made available to all the studios. The report also argues in favour of a wider development in the field of news broadcasts, which it feels is warranted in view of radio's power of immediacy.

French Drama Contest. — Radio Geneva is organising a competition for original radio plays on a historical theme, open to all authors of French language. Plays, which may vary in length between 40 and 60 minutes, should be sent under pseudonym to Radio Geneva before 31st August 1959. Prize-winning entries will be broadcast by Radio Geneva and relays offered to the Community of French-Language Radio Programmes.

TURKEY: *Dr. Halil Demircioglu, Professor at the Faculty of Arts of Ankara University, has been appointed Director-General of the Turkish Press, Broadcasting and Tourism.*

UNITED KINGDOM

The BBC's Activities in 1957-58. — The *Annual Report and Accounts of the British Broadcasting Corporation 1957-58* and the *BBC Handbook 1959* published recently provide a complete and authoritative account of the operations of the Corporation during the year ended 31st March 1958. The information extracted from them and printed here supplements reports on major developments appearing regularly in the *EBU Review* and gives a general impression of the year as a whole.

During 1957-58, the BBC was responsible for over 20,000 programme hours in sound broadcasting services and nearly 3,000 hours in its television service for United Kingdom audiences, as well as external broadcasting on a world scale amounting to over 29,500 hours. Music programmes occupied over a third of all broadcasting time, works were commissioned from a number of composers for performances at a later date and 170 first performances were given during the year. Full-scale opera performances reaching average audiences of about 4½ million, and ballet programmes reaching an average audience of some 5½ million were part of the work of the music production department of the television service. Films on musical subjects were also made by or for the BBC, including during 1957 one of the Dubrovnik Festival and one of the Liszt Piano Competition in Budapest.

Radio drama continued to draw extensively on the theatrical repertoire and at the same time maintained efforts to develop a school of purely radio writing. Also

peculiar to radio were the experiments in the field of radiophonic effects and *musique concrète*. The output of television drama during 1957-58 was 141 plays, 9 dramatised documentaries and 15 serial plays or series amounting to 90 half-hour episodes. In a year, sound radio's light entertainment department is responsible for approximately 3,500 programmes in the domestic services and the General Overseas Service. Approximately 8,000 contracts are issued to artists appearing in these programmes and weekly listening audiences of up to 10 million are counted for some of the most popular programmes. The television light entertainment department transmits more than 650 programmes in the year.

Sound broadcasting to schools now has an audience of nearly 29,000 schools (approximately 73%) who listen to one or more of the programme series. Each week in term time there is an output (including repeats) of 55 broadcasts, most of them lasting for 20 minutes. Illustrated pamphlets now cover 27 series and some 8,000,000 copies, comprising 69 different pamphlets, were sold in 1957-58. The BBC's experimental television service for schools began in the autumn of 1957 [1] and by the end of that year over 1100 schools were registered to receive the programmes.

Sound and television news bulletins are broadcast to listeners and viewers in the United Kingdom at the rate of 204 a week, and for listeners all over the world there are nearly 1000 bulletins a week in English and 35 other languages.

The rebroadcasting of BBC programmes by local radio stations all over the world continued to attract large audiences and the sound transcription service supplied over 60,000 records, comprising over 700 separate programmes, to radio stations in many countries. Over 100 commercial and educational stations in the USA now subscribe to the service. The television transcription unit supplied during 1957-58 over 200 films and more than 500 telerecordings.

The number of staff employed by the Corporation at 31st March 1958 was 15,472 (including 831 part-time) as compared with 15,242 at the end of the previous year.

The rate of increase of over 1 million combined sound and television licences annually since 1953-54 was maintained.

The gross income from licences amounted during the year to £30,839,215. The Post Office deduction in respect of their services amounted to £1,931,313 and the Treasury deduction of 12½% to £3,610,375, leaving a net income available to the BBC of £25,297,527. This represented an increase of £1,507,319 over the previous year. Net revenue from publications was £706,956, and other income (investments, etc.) brought the BBC's total revenue for the year to £26,219,402 as compared with £25,075,896 for the preceding year.

Revenue expenditure on sound services for the year was £11,856,120 and on the television service £11,149,207, a total of £23,005,327. Depreciation (£1,157,457) and income tax (£560,750) brought total revenue expenditure to £24,723,534, leaving an excess of income over expenditure of £1,495,868. The balance sheet at 31st March 1958 shows revenue carried forward of £1,270,906 and also a capital reserve of £2,217,550, a total of £3,488,456. This is a reduction of £991,965 as compared with the previous year.

The total income of the External Services was £6,078,931 (including grant-in-aid receipts of £6,054,000) and total expenditure amounted to £6,066,596 (£5,841,173 for revenue expenditure and £225,423 for capital expenditure). There was thus an excess of income over expenditure amounting to £12,335.

In the domestic services, expenditure on sound and television was approximately equal at between £11 and £12 million although over six times as many programme hours were broadcast in sound. The cost per programme hour rose in 1957-58 to £589 in sound and £3,468 in television. The external broadcasting services, at £176 per hour, showed only a small increase over the previous year.

Farming on BBC Television. — The headquarters of BBC farming programmes at Birmingham is to be the scene of an international workshop on the television aspect of agricultural advisory work from 20th to 26th February. It is being organised by the BBC in cooperation with the Ministry of Agriculture on behalf of the European Productivity Agency of the Organisation for European Economic Cooperation. The 17 member countries of the OEEC will be represented, as well as the United States Information Service and the Food and Agriculture Organisation of the United Nations, and there will be a delegate from the Australian Broadcasting Commission.

The work of the Conference will be in English and French, and delegates will hear lectures and take part in discussions on the production of programmes and other aspects of television as a means of improving the level of food production in Europe. There will be an opportunity to watch a BBC farming programme being produced and see a film. Delegates will have a chance of learning at first hand what viewers think of programmes, when they will ask questions of a panel of farmers and others who watch *Farming*, the weekly television programme shown on Sunday afternoons. In particular, they will seek information about ways in which the programmes have helped British farmers to improve their output.

BBC Conference for London Clergy. — Twenty-six Church of England clergy from the dioceses of London and Southwark attended a two-day conference held on 21st and 22nd January at Broadcasting House and the BBC Television Studios at Lime Grove.

[1] See *EBU Bulletin* No. 44, p. 502, *EBU Review* No. 47b, p. 3, and No. 50b, p. 18.

The conference was held at the invitation of the BBC and was the outcome of resolutions sponsored in the Church Assembly last year by the Provost of Southwark, the Very Rev. George Reindorp, whose active interest led to its taking place. Talks were given by BBC staff members on *The Aims of Religious Broadcasting*, *The Role of Sound Broadcasting in the Future*, *Producing Religious Programmes in Sound and Television*, *Drama and Television*, and *The General Impact of Television Programmes*. Extracts from telerecorded programmes were shown and visits were made to the sound and television studios. The conference closed with a general discussion in which questions were answered by members of the Religious Broadcasting staff.

Listening and Viewing Trends. — A recent BBC report states that in the last two years the number of people with television sets in their homes has risen from about half to about two thirds of the population. Figures show that out of an adult population of 37,800,000 about 24,500,000 had television sets at home in the last quarter of 1958 as compared with nearly 19 million in December 1956.

According to the report, there are still 7,500,000 adults who can receive BBC television only and the number who can receive either ITV or BBC is 17 million. The latter divided their viewing time in the ratio 34 BBC : 66 ITV—exactly the same ratio as a year ago and very similar to the July-September quarter of 1958 (33 BBC : 67 ITV). Their average amount of viewing in the evening was rather higher than in the corresponding quarter of 1957—about 12½ hours a week against 11½. Among those without television sets the amount of evening listening per head also increased, from about 6¾ hours a week in the last quarter of 1957 to 7¼ in the last quarter of 1958.

The survey also gave figures of adult viewers for various programmes. The biggest audiences were on Christmas Day and apart from the Queen's Broadcast, which had the biggest audience ever recorded since the Coronation, four BBC Christmas Day programmes had audiences of more than 11½ million adults, larger than on any other day of the quarter. The largest regular audience was for the programme *This Is Your Life* and varied between 8¾ million and 10½ million. The evening telerecording of the State Opening of Parliament in October had 9½ million viewers.

Members of Parliament Allege Infringements of Television Act by ITA. — Following questions asked in Parliament on the subject of natural breaks in ITA programmes, two Labour Members of Parliament asked for an interview with the chairman and the director-general of the ITA and discussed what the M.P.s allege to be repeated infringements of the Television Act by commercial television programme contractors. According to the *The Times* report, four points were raised by the Members of Parliament : *(i)* definition of what constitutes a " natural break " in a programme when, under the provisions of the Television Act, advertisements may be shown; *(ii)* action needed against " manufactured breaks " in programmes; *(iii)* excessive amount of advertising; *(iv)* the " watchdog " functions of the ITA over the programme contractors and advertisers, on behalf of the public.

From the statements of both parties at the end of the meeting it would seem that agreement had not been reached between them on the interpretation of certain provisions of the Television Act.

UNITED STATES

" Voice of America " Series of Lectures. — On 5th January the " Voice of America " initiated a new lecture series entitled *Forum—The Arts and Sciences in Mid-Century America*. There are to be three concurrent series of lectures on the natural sciences, the social sciences and the humanities, each broadcast lasting for half-an-hour with a repeat during the same week. The lecturers will be recruited from among the most distinguished members of the American academic and cultural community.

The natural science lectures (on Mondays, with a repeat on Thursdays) have begun in the field of medicine and, in mid-April, will turn to chemistry and then to biology. The humanities series (on Tuesdays, with a repeat on Fridays) began in early February and will cover music, philosophy and journalism, while the social science lectures (on Wednesdays with a repeat on Saturdays) will begin in March and cover subjects in the field of sociology, education and economics.

The lectures are being broadcast as a feature of the World Wide English programme to Europe, Africa, the Near East, the Far East, South Asia and Latin America.

BOOK REVIEWS

Television Advertising, by C. M. Agnew and N. O'Brien. London, McGraw-Hill Book Company, 1958. (330 pages, illustrated, price 74s.)

As its title suggests, this is primarily a book for all who are concerned with advertising on television, but it is so written as to be capable of being read with enjoyment by anyone interested in television.

Attractively produced, the book is an authoritative work based on the experience of its authors in the field, providing a comprehensive survey of both the theory and the technique of television advertising and including relevant background material on advertising in general. It brings the reader up to date with the most important recent advances, such as video tape recording, colour television, subscription television and subliminal advertising, and takes a brief look into the future. With admirable thoroughness, research methods are discussed and compared, the basic considerations applying to the creation of television commercials examined and the various types described. The reader is shown how the story board (illustrated script) is prepared, how live commercials and film are produced, and how the finished product is used by agencies, sponsors and producers. A valuable feature of the book is the glossary of terms used in television advertising.

This book is an excellent work of reference for the professional, a practical aid to the beginner, and an interesting source of information to the general reader.

Screen Writing and Production Techniques, by Charles W. Curran. New York, Hastings House, Publishers, 1958. (242 pages, illustrated, price $ 4.95.)

From his background of 25-odd years' experience in screen writing, direction and production, Mr. Curran has written a very useful text book in non-technical language for writers and producers of motion pictures, television programmes and commercials. The book deals largely with live production but is also concerned extensively with film and tape recording.

The purpose of this very practical volume is to offer first-hand advice and information that will guide the reader through the maze of screen writing and production. Part I deals with the pre-production phase, and a novel feature here is the list of basic plots and formulae for television and film writing, submitted for the consideration of would-be writers. Other chapters describe the preparation and writing of the script, and this part ends with a section on television commercials.

Part II is concerned with putting the subject into production. It gives step-by-step descriptions, showing the progress of the production to the sound stage and thereafter with the help of the production crew to the film or television camera. Chapters on tape recording, film processing and editing complete this part of the book.

Part III deals exclusively with production costs, with particular reference to the United States.

Technical terms essential to any description of screen production, however simple, are listed in a useful glossary appended for reference.

College Teaching by Television. Edited by J. C. Adams, C. R. Carpenter and D. R. Smith. Washington, D. C., American Council on Education, 1958. (234 pages, price $ 4.00)

A great deal has been said and written about educational television, particularly in America with its 6 years of experience in the field and some 30 educational stations on the air. There has been criticism of the American system in other countries, but what do top-ranking educationists in America think about the new medium in relation to teaching and learning ? This and other related questions are answered in the verbatim report which has just been published in book form on the proceedings of a Conference on Teaching by Television in Colleges and Universities, sponsored jointly by the Committee on Television of the American Council on Education and the Pennsylvania State University in October 1957. The focus of the Conference was on teaching and its purpose was to bring together distinguished teachers who had experience of teaching by television and to provide them with a public platform to express their opinions and record their conclusions.

The basic papers presented at the Conference and published here were prepared by outstanding authorities and cover such aspects as : perspectives of televised instruction; principles and conditions of learning by television; research results and factual data; the effects of college cultural patterns on students' learning from televised instruction; experimental design; assessment of academic achievement; assessment of teachers; and evaluation of televised recordings.

The report also contains the texts of the discussions held throughout the three days of the Conference and the prepared statements of participants. The result is a wide and liberal sample of authoritative thought among teachers in America on television and its relation to teaching and learning. The conclusion, as expressed by Dr. Ivey of New York University when summing up at the end of the Conference, is that the research and development stage of trying to prove whether or not television used for educational purposes will work is over.

It is now working and the full-production stage has been reached, but areas of research will have to be broadened, new concepts developed and new barriers tackled.

Appendices to the book include a number of brief papers on the experience of colleges and universities throughout the country, a selected bibliography for further reading, the programme of the Conference and the list of participants.

Television — Today and Tomorrow. Great Neck, New York, Channell Press, Inc., 1958. (429 pages, price $ 12.50.)

This is the complete report of five two-day regional Television Program Clinics conducted in 1957 by Broadcast Music, Incorporated. It contains the texts of the major addresses by leading figures of the American television industry and digests of the questioning and open discussions which followed the reading of each paper.

The publication of this report sheds more light on the American television scene and makes a wealth of new material available to seekers after knowledge in this particular field. The range of subjects is wide and covers the most important aspects of television programming in the United States. Some of the topics dealt with by more than 30 experts and their audiences were : children's programmes, problems of production, operation and control, public service programmes, television research, film programming, and colour television.

The published report provides readers with an excellent picture of the television industry in the United States today and gives some indication of its hopes for the future.

Théorie de l'Information et Perception Esthétique, by Abraham Moles. Paris 6e Flammarion, 1958. (224 pages, price 1500 Fr. frs.)

This book, published in the series *Etudes de Radio-Télévision*, is a study of the application of the theory of information to psychology and aesthetics, especially to the perception of messages from the world around us. The author, who is a member of the RTF Radio and Television Research Centre, starts with a simple presentation of the theory of information as a measurement of the complexity of a message and then extends this theory to the concept of Form as a perception of symbols and patterns. The phenomenon of noise and its disturbing influence on the individual's ability to perceive are examined, and the resulting notions applied to the sound message, with particular reference to music. The fundamental distinction between semantic and aesthetic information is developed and applied to the arts in general, and the elements of a method of experimental aesthetics are sketched in. The concluding chapter defines the philosophical role of the new theory.

This is a highly specialised and extremely complex work whose usefulness will be most apparent to those interested in the aesthetic and sociological aspects of broadcasting It contains accounts of numerous experiments in the field of psychology and information and its purpose is to try to integrate coherently the essential concepts arising from the science of communications to our vision of the world, particularly in the field of aesthetics and the psychology of perception.

ARTICLES

Cahiers d'Etudes de Radio-Télévision, No. 19. Flammarion, 20 rue de Vaugirard, Paris 7e.

This number opens with a study by Pierre Schaeffer entitled *Anamorphose entre Musique et Acoustique* which describes the work being done in the field of *musique concrète*. The Paris Group under the auspices of the RTF remains true to the method of experimental empiricism. Musical instinct always takes precedence over any dogmatic pretension, whether it be scientific or aesthetic. The potentialities of the ear are far greater than the stimuli at present offered, and the general conclusion of the article is therefore that experimental music must continue to rely on the ear as a guide and a judge as well as a means to an end.

L'Art et son Public, le Public et son Art, by Jean-Jacques Matras, is the first part of an essay on the artistic programmes broadcast on sound radio and television. The writer's purpose here is to examine whether large audiences are compatible with the exigencies of publicly owned radio and television organisations more or less under the control of the State.

Liliane Kandel and Abraham Moles provide a joint study in which they attempt to adapt to the French written language the Flesch indices of readability perfected in the United States and valid for the English language. *Application de l'Indice de Flesch à la Langue Française* enables the authors to examine the validity of the Flesch criteria and define the transmissibility of a radio message.

L'Avenir artistique de la Télévision describes the fifth of the series of talks with French television producers. Bernard Blin interviews Pierre Viallet here, a writer and producer who came to television from sound broadcasting. Television will be a success, says Mr. Viallet, when it can show the viewer everything there is to be seen... Reality in television is real life, everyday life, what is going on in the street, what is going on everywhere, and especially, what is going on at that very moment.

The section *Réflexions et Expériences* contains an article by Pierre Oléron on the reconstitution of abbreviated texts and a study of acoustics by Michel Philippot. *Informations et Documentation* contains an account of the development and present state of radio and television in the USSR communicated by Radio Moscow and a report on the various libraries and archives of the Swedish broadcasting service. This number ends with the usual bibliography and book reviews.

LEGAL SECTION

THE PROTECTION OF TELEVISION BROADCASTS AGAINST SHOWING IN CINEMAS *

by EUGEN ULMER

Doctor of Laws, Professor at Munich University

The World Football Championships held in Sweden last June were relayed on television by the German broadcasting institutions on the strength of agreements with the Swedish Radio. These relays were picked up and projected by a number of German cinema theatres as part of their programmes, and the cinemas even scheduled the relays in their newspaper advertisements. With regard to the Ruhr a cinema trade paper reports in an article by Helmut Reinke, one of its staff writers, under a 16th June dateline that several local cinema proprietors have installed television projectors in their auditoriums. The article continues in these words : " In addition to the feature programme and without any extra charge for admission they are offering the audience a live relay of the matches from Sweden. The television picture is enlarged and is seen on a 10 ft. by 10 ft. screen. The cinema owners' gamble has paid off—not an empty seat in the house." The article also alludes to the future potentialities of this form of reproduction, saying that a demonstration has been given in Zürich of a projector which may one day threaten the existence of the newsreels. " In contrast to present-day models which are set up in the middle of the theatre, this projector can be housed in the projection room, and gives a good bright picture even on large-sized screens; picture quality is on a par with that of films. With a machine of this type, which has been in existence for 20 years but is only now being developed with the backing of Swiss business and banking circles, the cinemas could pick up the television newsreel every evening and put it on the screen."

This shows that the importance of the problem is not confined to the showing of television relays of football matches. Rather is it a question of principle : is it legally admissible that television broadcasts should be screened in cinemas without the broadcasting organisations being consulted ?

I. General

1. The public reception of television broadcasts by the cinemas represents an invasion of the interests of the broadcasting institutions that are deserving of protection. This point is generally recognised in the literature on the so-called " neighbouring " or ancillary rights. In Great Britain the new Copyright Act, 1956, already gives the broadcasting organisations protection against the showing of [television] broadcasts in places to which the public is admitted for payment. In Germany the *Referentenentwurf* (the official draft for a new Copyright Act) envisages giving the broadcasting organisations protection against the communication of their television broadcasts to the public (Section 84, paragraph 1 (3)). At the international level, too, both the draft Conventions on " neighbouring " rights currently under discussion —the Berne Union-UNESCO draft and the draft prepared by the International Labour Organisation— contain provision for protection along the same lines. (Cf. on this point my dissertation, *Der Rechtsschutz der ausübenden Künstler, der Hersteller von Tonträgern und der Sendergesellschaften* (1957), pp. 69 ff., and Straschnov, *Protection internationale des " droits voisins "* (1958), pp. 162 ff.)

The necessity of such protection arises chiefly out of the following consideration, which is also mentioned in the explanatory memorandum to the *Referentenentwurf* (p. 207) : if sporting events, theatrical performances, cabaret shows, etc. are relayed on television there is a danger that attendance at such entertainments will fall off. As experience (particularly in Great Britain) has already shown, there is reason to fear that the promoters will refuse the broadcasting authorities the permission to televise, because they are afraid of a decrease in their receipts from the sale of tickets if the television broad-

* We are indebted to Professor Ulmer for having adapted for publication a legal opinion which he wrote in the light of internal German law; his conclusions, however, reach beyond the frontiers of one country and, through their clarity and logic, will catch the imagination of television jurists wherever they may be.

casts are shown in public. The danger is especially great in the case of projection in cinemas, where the programme gains in attraction from reproduction on a magnified scale.

It would therefore make all the difference to the bargaining power of the broadcasting organisations *vis-à-vis* the promoters if the former were juridically in a position to prohibit public performance of television broadcasts in cinemas. If the promoters had to put up with such projection, this might prove an obstacle to the conclusion of the contract. At the very least it is to be expected that the organisers would demand substantially higher fees than for television relays where only private reception was permitted.

2. The above considerations are relevant to the plans for a reform of the law. As far as the existing law is concerned, one might look first of all to the rules of public law deriving from the right of sovereignty in matters of telecommunications. A licence is required to operate a receiving set, and in this licence restrictions can be imposed on the use of the receiving installation, and particularly on its use for commercial purposes. (Cf. on this point Hubmann : *Der Schutz der Rundfunksendung gegen unbefugte Verwertung*, in the periodical *Gewerblicher Rechtsschutz und Urheberrecht*, 1953, pp. 317 ff.)

In this spirit the Federal Postmaster-General and Minister of Telecommunications, under No. 5 of the conditions of the television receiving licence, reserved to himself the power to authorise the use of television receiving installations for commercial purposes (Official Gazette, 1956, p. 329). However, by an Ordinance of the Federal Postal Ministry of 25 July 1958 (Official Gazette, 1958, p. 559), this authorisation was granted to all and sundry. Admittedly it was added that this authorisation could be revoked at any time, and it was also stated in express terms that " any claims under copyright law are not affected by this general authorisation ".

3. It remains for us to review the claims under private civil law which could be prosecuted by the broadcasting organisations.

This category includes claims based on copyright and claims based on the law of unfair competition. The law on unfair competition comes into the matter from the angle of the unfair exploitation of the work of others; we shall not dwell on this aspect, but rather confine ourselves to an examination of the position under copyright law.

The facts on which we must proceed are as follows. The television programmes put out by broadcasting organisations are made up partly of films produced in advance of the broadcast and partly of " live " transmissions in which the pictures seen by the television camera are radiated by means of electromagnetic waves. Such " live " programmes can be hooked up with a kinescope or other television recording device; the pictures that go out on the air can at the same time be fixed on a material medium under a special process. Television recordings of this kind make it possible to schedule repeat broadcasts and the exchange of tapes or reels with other broadcasting companies.

From the legal point of view the objects in which copyright may subsist are, on the one hand, the single television pictures and, on the other hand, the pictures and sounds in a television broadcast as a whole.

II. Protection of Individual Televised Pictures

1. In so far as the pictures have been put on film before the broadcast, there can be no doubt in law that they are photographs within the meaning of Section 1 of the Copyright (Artistic and Photographic Works) Act, and the same applies to pictures which are reduced to material form by a television recording process.

On the other hand, the question whether pictures broadcast " live " also fall under the protection of the Copyright (Artistic and Photographic Works) Act requires extremely careful study. My conviction is that the answer is in the affirmative. Two considerations above all are material to the argument.

It is a generally accepted principle of copyright that protection begins from the moment the work is recognizable. Material fixation is not indispensable, in so far as the work may be perceived without such fixation. In the case of spoken works oral communication, and in the case of musical works performance, are sufficient, even when they are not given from a tangible written or other record. Only for choreographic works and ' pantomimes ' (works in dumb show) does the existing law still demand that the acting form be fixed in writing or otherwise (Section 1 (2) of the Copyright (Literary and Musical Works) Act). This stipulation is however of an exceptional nature, and it is generally agreed that it has fallen wide of the mark; it has consequently not been taken over in the drafts for a new German copyright statute. (Cf. on this point my *Urheber- und Verlagsrecht*, pp. 81 ff.)

Added to this is the fact that Section 3 of the Copyright (Artistic and Photographic Works) Act makes the following express provision : " ' Photographic work ' includes any work produced by a process akin to photography ". This is another way of saying that the subject of the protection is not to remain limited to the photographic processes of which the legislator had cognizance in 1907, but rather that substantially similar developments are to be included therein. Now, it so happens that in " live " television transmissions the electrical emission of the picture takes the place of the chemical fixation of the highlights and shadows. But apart from this one difference the method of shooting the pictures is exactly the same as when making exposures with a film camera. In particular what counts in both cases, over and above the mere recording of events and occurrences, is the artistic and technical ability displayed in the choice of camera angles, the selection of incidents,

the lighting, etc., which is the justification for statutory protection of the pictures. Schmidt di Simoni, who describes the procedure in detail in his essay entitled *Studien zum Fernsehurheberrecht* (1956), rightly comes to the following conclusion (p. 101) : " Television can never cause reality itself to become visible; all it is capable of is transmitting pictures of reality ."

The individual television pictures, even though they have not been fixed in a material form, are therefore protected by law as works produced by a process akin to photography within the meaning of Section 3 of the Copyright (Artistic and Photographic Works) Act. Schmidt di Simoni arrives at the same conclusion *(loc. cit.)*. Similarly Hubmann, writing in the *Gewerblicher Rechtsschutz und Urheberrecht*, 1953, p. 320, footnote 35, points out that the analogy with photographic copyright is an obvious one.

2. In principle creative activity is a pre-requisite for copyright protection. Only the fruits of individual intellectual or artistic creation are works within the meaning of the Copyright Acts.

This requirement, however, does not apply to photographs. The legislation does not set out to distinguish between various types of photographs; artistic photographs and inartistic ones, commercially produced pictures and amateurs' snaps are all on the same footing. The expression " photographic work " employed in the Copyright (Artistic and Photographic Works) Act is not used in the technical sense, and it is more exact to say that all photographic productions are copyright. Admittedly the ultimate justification for protection lies in the fact that artistic effort is often involved in the taking of the photograph, but there is no check on the existence or otherwise of an artistic contribution of this nature in the individual case. This is the prevailing opinion in Germany. (Cf. Civil Judgments of the Reichsgericht, Vol. 169 (RGZ 169) p. 114, and Runge : *Urheber- und Verlagsrecht*, pp. 334 ff.)

As a consequence of this difference from other copyright protection photographic copyright is placed in something of a special position, as is shown under the existing law by the fact that the term of protection is curtailed, being only 25 years from the publication of the photograph (Section 26 of the Copyright (Artistic and Photographic Works) Act). In the proposals for a new German copyright law the difference is spelled out even more unmistakably : rights in photographs are no longer regarded as true copyrights, but are classed instead with the cognate rights to protection. Since we are bound by the substance of the law but not by its terminology, it would appear to be rational to proceed from this systematic classification even for the existing law. (Cf. on this topic my *Urheber- und Verlagsrecht* p. 313, and Hubmann, *loc. cit.*)

3. Mention of the special status of photographic rights is of importance for the purposes of this inquiry in solving the problem of who owns the rights.

In the field of copyright it must in principle be assumed that the right vests in the author from its inception, and this under the present law also holds good as the point of departure in the case of photographic copyright (cf. Runge : *op. cit.*, p. 337 ff). Nevertheless it should be emphasised that even under the existing law, in cases where the exposure is made by a staff photographer, i.e. an employee, on orders from and under the direction of the *entrepreneur*, the employee is regarded as a mere assistant and hence the copyright vests initially in the *entrepreneur* (cf. my *Urheber- und Verlagsrecht*, p. 313).

The draft Bills take this idea further. The *Referentenentwurf* states in Section 71 (2) that in cases where an employee or agent of a business produces a photograph for the business as part of his contractual obligations, the owner of the business acquires the right to exploit the photograph. This corresponds to the general principles that apply in the field of ancillary rights; in the case of ancillary rights in phonographic records and broadcasts the drafts proceed on the assumption that the right vests initially in the person of the *entrepreneur*. Herein lies an important difference between genuine copyrights and " *droits voisins* ".

True, this distinction has not yet been effected in the existing legislation. In the plans for a reform of the copyright law, however, certain legal notions are expounded that might well be taken into account here and now in construing the legislation at present on the statute book. In doing so regard should also be had to the special manner in which television pictures originate. Several television cameras take the pictures simultaneously, and the pictures are then transmitted to the control desk and there selected. It is therefore not possible in every case to identify the cameraman responsible for taking the picture. And the theory of a joint copyright vesting in a number of cameramen will not hold water because the essential characteristic of joint creation of the individual pictures is absent. The facts of the case indicate that even for the law now in force the course prescribed in the drafts is the most appropriate solution.

If one cannot subscribe to this line of reasoning one must in any event assume that the photographic rights are transferred in their entirety to the broadcasting organisations by virtue of a tacit assignment. It is perfectly true that in the case of the composers we must assume that they assign to the broadcasting organisations only the right to broadcast and not the right to perform the broadcast in public, and that the authors of literary works are in turn at some pains to enforce the right of communicating their broadcasts to the public through the agency of collecting societies. In the case of the cameramen, however, in contrast to that of ' authors ' in the generally accepted sense, we must presume a complete cession of the rights, even in the absence of any contractual stipulations to that effect. Proof of this would also be forthcoming if the broadcast was recorded on film at the receiving end and subsequently used in the way of trade; here too it would be a question not

of the right to broadcast but of a " secondary use ", i.e. a further mode of exploitation. There can be no doubt that these rights are possessed by the broadcasting organizations and not by the individual cameramen.

4. According to Section 15 of the Copyright (Artistic and Photographic Works) Act copyright in photographs includes (among other things) the exclusive right to exhibit the work for profit by means of mechanical or optical devices. Reproduction in cinemas is one example of such commercial exhibition.

This exhibiting right should be distinguished from the broadcasting right, this distinction being the generic one between the right to broadcast and the right to cause the broadcast to be seen and heard in public at the receiving end. The decision of the Reichsgericht reported in RGZ 136 (Civil Judgments, Vol. 136) at p. 377, which looked upon the public communication of a broadcast as being no more than a prolongation of the broadcast, is now obsolete. There can no longer be any doubt on this point in modern German jurisprudence.

III. Protection of the Television Broadcast as an Entity of Sounds and Images

Besides the individual pictures, it is also possible for copyright to subsist in the totality of the sounds and images constituting the television broadcast in question. From the legal point of view it is necessary to examine whether, and if so to what extent, this entity should be accounted a ' film work ' or, as the statute puts it (Section 15 of the Copyright (Artistic and Photographic Works) Act), " a work produced by cinematography or by any process akin to cinematography ".

1. The concept of the ' film work ' is predicated on the concept of the ' film '. Films may be either silent films or talkies, and the expression should be taken to include television films as well. This applies both to films taken prior to the broadcast and to television recordings or kinescopes.

The rules that apply to sounds and images that have been reduced to material form must however apply by analogy to " live " transmissions. In so far as copyright subsists in television films as ' film works ', copyright will likewise subsist in " live " transmissions of a like nature : just as Section 3 of the Copyright (Artistic and Photographic Works) Act carries over the protection afforded to photographs to productions obtained by a kindred process, so does Section 15 of that Act extend the protection given to cinematographic works to those produced by a kindred process. Consequently the foregoing remarks on the subject of photographs are by analogy equally valid in this connection as well.

2. Not all films are ' film works ', and indeed it is a pre-requisite of film copyright that the film should be an original creation and hence a ' work ' in the copyright sense.

Section 15 *(a)* of the Copyright (Artistic and Photographic Works) Act draws the dividing line between films and ' film works ' by restrictively defining a ' film work ' as " a work produced by cinematography or a process akin to cinematography where the arrangement or acting form or the combination of incidents represented give the work an original character ". Nowadays this provision, which is plainly patterned on the fictional or ' scenario ' film, is construed somewhat extensively, and undoubtedly educational films, artistic films and so on are also eligible for protection as ' film works '. It is probably enough for the film to be an original creation without going into questions of the arrangement or acting form or the combination of incidents represented. This is also in keeping with the trend of international law : since the Brussels version of the Berne Convention the only condition remaining in Article 14 is that the subject of protection should be a ' cinematographic work '.

As before, however, the principle is maintained that not all films are ' film works '. Cf. in particular BGZH (Civil Judgments of the Federal Court), Vol. 9 at p. 262 ff.: the mere fixation of actual incidents, e.g. the happenings of daily life, on contrivances for the reproduction of sounds and images will result in a film but not a ' film work '. The standard example of this in the textbooks is the filmed newsreels (cf. on this point Berthold-von Hartlieb : *Handbuch des Filmrechts* (1957), p. 21, and my own *Urheber- und Verlagsrecht*, p. 95). Films of this nature enjoy only the photographic copyright protection which extends to the individual " frames " or pictures.

The retention of the distinction between films and ' film works ' also has a place in the projected reform of the law. The *Referentenentwurf* in Section 72 discusses cinematographic productions (moving pictures) that are not protected as ' film works '; the provisions relating to photographs are to be applied *mutatis mutandis* to such films. This goes further than the law as it now stands because it means that the film as a whole will be protected and not merely the individual frames *qua* photographs. Unlike that in the case of ' film works ', however, this protection will not be in the nature of copyright, but rather an ancillary right to protect the reel which will vest in the maker of the film.

3. If we apply these rules to television films and television broadcasts it becomes apparent that there is no single answer to the question of the degree to which they are in copyright as ' film works '.

' Film works ' certainly do exist in the field of television; to start with, there are all the dramatic, educational, artistic and similar films which like those destined for projection in cinemas are produced in advance of the broadcast. But there is also a strong legal presumption that even television drama and plays transmitted " live ", to take an example, constitute ' film works '.

On the other hand the position is rather different as

regards television broadcasts depicting only factual occurrences and happenings, particularly as regards transmissions of sporting events. It will not be denied that even here there is scope for artistic perception in the taking and selection of the pictures, but this is taken care of in law by the copyright in photographs or the right to protection. Under the existing law the copyright in the individual photographs is the only possible protection in this case. Judging by the reform plans it will be possible in future to count on the ancillary right as well, which will cover the film or television broadcast (as the case may be) as a whole.

In this connection mention should be made of the European Agreement concerning Programme Exchanges by means of Television Films which has been prepared by a Committee set up by the Council of Europe. When this Agreement was being framed it was clearly realised that only part of the television films could be expected to qualify as cinematographic works within the meaning of Article 14 of the Berne Convention as revised, and for this reason the expression 'cinematographic work' was deliberately avoided. In the Agreement television films are defined in such a way as to include any fixation of a sequence of pictures or a sequence of pictures and sounds for the purposes of television—" all visual or sound and visual recordings intended for television ", as Article 2 puts it.

4. In conclusion it must be stated that in so far as television broadcasts qualify as 'film works', proceedings can be instituted against the cinemas on the basis of copyright in films, though proof would certainly be required that this right had been assigned to the broadcasting organisations.

However, irrespective of the nature of the television broadcast, a suit could be brought against the cinemas on the basis of the photographic copyright in the individual television " frames ". The emphasis is on this latter right, since as far as can be seen at present the appropriation of television broadcasts by the cinemas is mostly a matter of showing sporting meetings and other real-life occurrences and events.

WORLD RADIO AND TELEVISION HANDBOOK

The thirteenth edition of this excellent handbook of world renown which has recently been published contains a number of corrections and additional facts. It gives complete and exact information about radio and television organisations throughout the world—senior staff, addresses, frequencies, broadcast schedules, programmes, calls signs, etc.

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Publisher : O. Lund-Johansen, Lindorffsallé 1, Hellerup, Copenhagen, Denmark

Circulation : 14,000 copies sold. 186 pages. **Price :** D. Kr. 15.20, 15s. 9d., or $2.80, including postage.

NEWS AND INFORMATION

COUNCIL OF EUROPE

European Agreement on Programme Exchanges by means of Television Films. — On page 16 of this issue of the *Review* readers will find an article by Mr. Lenoble, President of the EBU Legal Committee, in which he discusses the origin and practical effect of the European Agreement recently signed by the Foreign Ministers of member countries of the Council of Europe. Of the fifteen nations belonging to the Council of Europe, two (France and the United Kingdom) have signed the Agreement unconditionally, seven (Belgium, Denmark, Greece, Italy, Luxembourg, Sweden and Turkey) have signed it subject to ratification, and six (Austria, Federal Republic of Germany, Iceland, Ireland, Netherlands and Norway) have not yet affixed their signature to the instrument. In pursuance of Article 7 (1) of the document in question the Agreement has thus not yet come into force.

The text of the Agreement as submitted for signature on 15th December 1958 is given below.

The Governments signatory hereto, being Members of the Council of Europe,

Considering that the aim of the Council of Europe is to achieve a greater unity between its Members;

Considering that it is important in the interests of European cultural and economic unity that programmes may be exchanged by means of television films between the member countries of the Council of Europe as freely as possible;

Considering that national legislations allow different conclusions as regards the legal nature of television films and as regards the rights which they grant in respect of such films;

Considering that it is necessary to resolve the difficulties arising from this situation;

Having regard to Article 20 of the Berne Convention for the Protection of Literary and Artistic Works, by the terms of which the Governments of the countries of the Union reserve to themselves the right to enter into special arrangements which do not embody stipulations contrary to that Convention,

Have agreed as follows :

ARTICLE 1

In the absence of any contrary or special stipulation within the meaning of Article 4 of the present Agreement, a broadcasting organisation under the jurisdiction of a country which is Party to this Agreement has the right to authorise in the other countries which are Parties thereto the exploitation for television of television films of which it is the maker.

ARTICLE 2

1. All visual or sound and visual recordings intended for television shall be deemed to be television films within the meaning of the present Agreement.

2. A broadcasting organisation shall be deemed to be the maker if it has taken the initiative in and responsibility for the making of a television film.

ARTICLE 3

1. If the television film has been made by a maker other than the one defined in Article 2, paragraph 2, the latter is entitled, in the absence of contrary or special stipulations within the meaning of Article 4, to transfer to a broadcasting organisation the right provided in Article 1.

2. The provision contained in the preceding paragraph applies only if the maker and the broadcasting organisation are under the jurisdiction of countries which are Parties to the present Agreement.

ARTICLE 4

By " contrary or special stipulation " is meant any restrictive condition agreed between the maker and persons who contribute to the making of the television film.

ARTICLE 5

This Agreement shall not affect the following rights, which shall be entirely reserved :

(a) any moral right recognised in relation to films;

(b) the copyright in literary, dramatic or artistic works from which the television film is derived;

(c) the copyright in a musical work, with or without words, accompanying a television film;

(d) the copyright in films other than television films;

(e) the copyright in the exploitation of television films otherwise than on television.

ARTICLE 6

1. This Agreement shall be open to signature by the Members of the Council of Europe, who may accede to it either by :

(a) signature without reservation in respect of ratification; or

(b) signature with reservation in respect of ratification, followed by the deposit of an instrument of ratification.

2. Instruments of ratification shall be deposited with the Secretary-General of the Council of Europe.

ARTICLE 7

1. This Agreement shall enter into force thirty days after the date on which three Members of the Council shall, in accordance with Article 6 thereof, have signed it without reservation in respect of ratification or shall have ratified it.

2. In the case of any Member of the Council who shall subsequently sign the Agreement without reservation in respect of ratification or who shall ratify it, the Agreement shall enter into force thirty days after the date of such signature or deposit of the instrument of ratification.

ARTICLE 8

1. After this Agreement has come into force, any country which is not a Member of the Council of Europe may accede to it, subject to the prior approval of the Committee of Ministers of the Council of Europe.

2. Such accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the Council of Europe, and shall take effect thirty days after the date of deposit.

ARTICLE 9

Signature without reservation in respect of ratification, ratification or accession shall imply full acceptance of all the provisions of this Agreement.

ARTICLE 10

The Secretary-General of the Council of Europe shall notify Members of the Council, the Governments of any countries which may have acceded to this Agreement and the Director of the Bureau of the International Union for the protection of literary and artistic works :

(a) of the date of entry into force of this Agreement and the names of any Members of the Council which have become Parties thereto;

(b) of the deposit of any instruments of accession in accordance with Article 8 of the present Agreement;

(c) of any declaration or notification received in accordance with Articles 11 and 12 thereof.

ARTICLE 11

1. This Agreement shall apply to the metropolitan territories of the Contracting Parties.

2. Any Contracting Party may, at the time of signature, ratification or accession, or at any later date, declare by notice addressed to the Secretary-General of the Council of Europe that this Agreement shall apply to any territory or territories mentioned in the said declaration and for whose international relations it is responsible.

3. Any declaration made in accordance with the preceding paragraph may, in respect of any territory mentioned in such a declaration, be withdrawn under the conditions laid down in Article 12 of this Agreement.

ARTICLE 12

1. This Agreement shall remain in force for an unlimited period.

2. Any Contracting Party may denounce this Agreement at one year's notice by notification to this effect to the Secretary-General of the Council of Europe.

GERMANY (Federal Republic)

Protection of the Title of a Television Feature. Judgment of the Hamburg Court of Appeal. — The Hanseatic Court of Appeal in Hamburg *(Hanseatisches Oberlandesgericht)* had on its docket a test case that raised several questions of principle, one of them being whether television could be said to be in competition with the motion picture industry. The facts of the case were as follows.

The *Nord- und Westdeutscher Rundfunkverband*, which comprises the *Westdeutscher Rundfunk* in Cologne and the *Norddeutscher Rundfunk* in Hamburg and which produces in conjunction with the other broadcasting organisations in the Federal Republic a joint television programme going by the name of *Deutsches Fernsehen*, got up a feature entitled *Kleine Leute — Grosse Reise* (Little Folk on a Big Journey) which was in fact a lottery in aid of the children of Berlin. The title of the broadcast was thought up by an employee of the plaintiffs, the *Nord- und Westdeutscher Rundfunkverband*, and was used for television films showing children on a journey from Berlin to Hamburg and thence by air to an island in Britain. Planning a new series of broadcasts under the same name, the person who hit upon the title approached a composer and a lyric writer in 1958 to write a march for the programme, authorising them to turn the work and its title to account as they saw fit. As it happened the title of the march was the same as that of the programme. Besides this, the Philips firm were licensed to bring out a record reproducing this march. The authors thereupon assigned to one Sikorski, a music publisher, the commercial rights in the musical work and the title, and the publisher in turn licensed a film producer to use the march and the title for the purpose of making a cinematographic work. Under a further assignment contract the motion picture firm transferred these rights to another film-producing company which finally made a film under the title of *Kleine Leute — Grosse Reise* which depicted Berlin children spending their holidays in a small West German town. The distributor through whom the film was handled announced it under its title and in the accompanying publicity spoke of " the popular television show that is all the rage ". The première of the film was scheduled for Christmas 1958.

On 3rd October 1958 the *Nord- und Westdeutscher Rundfunkverband* was granted an interim injunction restraining the maker of the film from using the title *Kleine Leute — Grosse Reise*, from distributing the film under this title and from exhibiting it in public. The interim injunction was appealed from by the producing firm which submitted that its predecessor in title had secured from the publisher Sikorski all the rights in the march including the right to the title, which rights had been acquired under contract by the publisher from the authors of the composition. The producing firm further maintained that protection for titles existed only for printed matter, that in any event there was no competition between television and the cinema, that no confusion was possible owing to the fact that the broadcast was only pictorial reporting whereas the film had a proper plot and action, and that the film, far from detracting from the broadcast, only increased the aid given to the children of Berlin. For its part the *Nord- und Westdeutscher Rundfunkverband* argued that the two authors of the composition did not have it in their power to convey the right to use the title for a film to the publisher, especially as the inventor of the title was only an employee of the *Verband* and could therefore not dispose of what the *Verband* regarded as its property. Besides, the distributor's advertising showed beyond a shadow of doubt that the film-making concern had truly intended to exploit the " hit " made by the broadcast for its own ends.

Giving judgment on 29th October 1958 the Hamburg *Landgericht* ordered the interim injunction to stand. It ruled that a true competitive relationship existed as between the *Verband* and the producer, that protection for titles must be held to inure to films and broadcasts as well as to printed matter, and finally that the rightful or wrongful acquisition of the title was in any event of no effect in law once the *Verband* had established its prior claim to the title by using it as it did.

An appeal against this judgment was lodged by the motion picture firm which asked that the interim injunction be revoked or in the alternative that it be temporarily lifted against payment of a sum of money into court. Their main argument was that the question of priority was immaterial since it was not possible to confuse the broadcast and the film, and that in any case the *Verband* had sustained neither injury to its goodwill nor financial loss, these being the test for the law on unfair competition to apply. In its answer the *Verband* took the point that television was unmistakably in competition with the

cinema, that its prior claim to the title was established since 1955 and that under these conditions its rights in the title were indefeasible, even if its use by others was in order from the point of view of copyright.

After hearing the witnesses again, particularly the inventor of the title and the composer and lyric-writer of the march used in the broadcast, the Court of Appeal handed down a powerful and closely reasoned judgment on 18th December 1958 which has now become final. The following are some of its main arguments.

1. The fact that broadcasting and television organisations are corporations at public law, carry on functions which partake of the nature of government service and are invested with a monopoly does not debar them from recourse to the remedies afforded by private civil law for acts prejudicial to their operations, especially as these authorities in pursuance of their objectives commonly rely on deeds of private law and business, and particularly in the field of contract (a matter of private law) for the engagement of performers and other help required in putting on the programmes. Thus from the moment a broadcast is performed by a broadcasting organisation it enjoys protection for the title within the meaning of the law on unfair competition against all infringers.

2. The remedies afforded by the law on unfair competition for improper use of a title are available to any person lawfully employing a title to identify a printed publication. It follows that such protection inures even to persons who are not in competition with the infringer, any misuse of the title calculated to mislead or deceive the public being a sufficient reason for seeking these remedies.

3. Furthermore, there is genuine competition between television and motion pictures. Both set out to entertain the public by means of images accompanied by sound, and both render kindred services. Television's monopoly does not absolve it from the obligation to please its audience since it is not alone in seeking to capture the favour of the public in the world of entertainment.

4. It is not a condition for relief under the unfair competition legislation that the aggrieved party should be damnified or liable to be damnified. The purpose of the relevant statutory provisions is to prevent confusion between printed publications, and so it is immaterial that the film may have occasioned the television organisation no pecuniary loss. It is similarly irrelevant whether copyright subsisted in the title in question, as this is not a requirement for protection against unfair competition.

5. While it is true that the letter of the law refers only to the taking of the title of a printed publication, the clause in question should be so construed as to apply in relation to other intellectual productions intended for reproduction and issue to the public. In the case of a film such reproduction and issue take place through the medium of exhibition in cinemas; while for a broadcast they are effected by the appearance of the images on the screen of the receiving set. It matters not at all whether the broadcast is made from a recording or is a "live" show; the only deciding factor is that the production should have reached the public under a distinguishing appellation, for it is only then that confusion can arise in the public mind if another production is presented under the same or a similar title.

6. In the case in point such confusion must be held to be proven. The public might well believe that the film was only a reproduction or adaptation of the broadcast, especially as the same theme song was used in both. The Court discounted the producing firm's argument that there could be no taking the film for the broadcast because the former was a story film and the latter a mere piece of reporting. In the Court's opinion this argument presupposes familiarity on the part of the public not only with the title of the broadcast but even with its contents. The law is designed to obviate the mere possibility of confusion, even if such confusion ceases to be possible once the public has a fuller knowledge of the competing works.

7. The remedies lie open to the lawful user of the title, and hence the question of priority arises. The Court had it in evidence that the disputed title had been used by the *Nord- und Westdeutscher Rundfunkverband* since before 1957. The transfers relied on by the film-producing firm did not take place before 1958, by which time the *Verband* had already established priority of use. The right to use the title continued in their hands even if there was a break in its use, the more so because it was generally known that a new series was to be presented later under the same title.

8. It is not in issue that the authors of the composition transferred to Sikorski, the publisher, not only the right of publication but also the right to make a film and use the title of the march for that purpose. However, this assignment of the title was only good so long as it did not conflict with a vested interest based on priority of use. Such priority of use being proven *in casu*, the assignee and his successors in title could not use the title for their cinematograph film. This ruling stands even if the title should be held to be in copyright, for the Court is of opinion that protection of the title pursuant to the unfair competition legislation must prevail over copyright protection, because it is necessary to prevent the public from being misled. In other words, titles are protected against unfair competition even if their use by others is lawful from the copyright standpoint.

The information at our disposal indicates that the firm producing the film that gave rise to the dispute has in fact now changed the title.

The Right to an Aerial. — On 14th October 1958 the Hamburg *Amtsgericht* gave a decision concerning the right of a tenant to erect an outside television aerial. This judgment is important in that it deals with the question whether the landlord of a block of flats can be forced to allow the installation of an individual aerial rather

than a collective aerial capable of serving all the tenants in the building.

In the case in question the lessor was prepared to sanction the construction of a collective aerial but refused the plaintiff the right to put up an individual one, so as not to have to authorise the installation of several aerials on the same roof later on. The plaintiff, for his part, had sounded out the other tenants regarding the possibility of erecting a collective antenna, only to discover that they were not willing to contribute to the costs of an installation of this sort.

In its judgment, which may still be subject to appeal, the court noted that television is so much part of the ordinary person's cultural needs that the granting of a lease carries with it as a matter of course an obligation on the lessor to permit the erection of an external television aerial on the roof of his block of flats. The court held that an indoor aerial is no guarantee of satisfactory reception. The question of what the lessor's obligations would be should the other tenants at some future time wish to make use of an outside aerial was considered as immaterial for the time being. Given the position that at the time application is made to the justices the other tenants are not calling for an outside aerial and even refuse to contribute to the cost of a collective aerial, the lessor must permit an individual outside aerial to be installed on his block of flats in a professional way.

GREECE

Lawfulness of Broadcasts of the National Broadcasting Institute. Judgment of Athens Procurator. — We are indebted to the last issue of *Inter-Auteurs* for the French text of a judgment handed down on 5th August 1958 by the Summary Procurator of Athens, in which it was held that the Hellenic National Broadcasting Institute, by broadcasting the works of four Greek authors and composers, had acted in breach of the Greek Copyright Act, 1920, as amended in 1929. The judgment runs as follows.

" Considering the claims dated 11th July 1958 of —

1. The Hellenic Association for the Protection of Intellectual Property, whose registered offices are in Athens;

2. The Hellenic Society of Composers, Authors and Publishers (ESSE), whose registered offices are in Athens;

The said Association and Society, legally represented by Demetrios Xanthopoulos, in his capacity as managing director of the first and director-general of the second, seeking an injunction against the mechanical recording and public performance by way of broadcasting of musical compositions by their members Grigorios Constantinides (composer), and Panaghiotis Papadoukas, Jean Hidiroglou (Paul Menestrel), and Const. Kofiniotis (authors);

After having attended the hearing on 26th July 1958, at which the plaintiffs were represented by their counsel Anastasias Ioannou and George Koumantos, and after hearing their case and that of the defendant, Francis Schmit, Director-General of the National Broadcasting Institute, and the members of the Board of Governors of that Institute, represented by their counsel, Demetrios Mavros;

After deliberating in accordance with the law,

Considering that the introductory writs, based on Sections 1, 9 and 16 of Act No. 2387/20 as amended by Sections 1, 2 and 3 of Act No. 4301/29 are held to show a cause of action and that the provisions of Section 5 of Act No. 4301/29 concerning the *locus standi* of the plaintiff societies must be examined as to the merits;

Considering that at the hearing before the Bench the counsel for the defendant did not deny that the Broadcasting Institute performs broadcasts of songs by the authors and composers mentioned in the writs over its broadcasting transmitters, after first recording them on magnetic tape, and does so without the authorisation of the copyright proprietors. The ambit of the right of public performance is specifically defined in Section 9 of Act No. 2387 and the recitation or rendering of theatrical, musical and dramatic works and musical compositions is reserved to the authors thereof; it is further specifically forbidden to perform them in the theatres, halls, concert rooms, etc. listed for guidance in the above-mentioned Section without the permission of the copyright holder.

Broadcast performance, destined as it is to a very wide audience and accessible as it is to any person who is able to listen to the broadcast performance on an appropriate receiving set, constitutes a form of public performance in the above sense which is in all cases reserved to the intellectual creator of the work and which may be prohibited by virtue of the provisions of Section 16 of Act No. 2387 (Lykiardopoulos-Ioannou : *La Propriété intellectuelle* at pp. 176-7; Ioannou : *La Propriété intellectuelle en Grèce et les Conventions internationales*, 1927, at pp. 29-30).

Considering that it follows from the above that judgment should be given for the plaintiffs on their suit for an injunction against the broadcasting by the National Broadcasting Institute of musical compositions belonging to the authors and composer mentioned in the writs,

For these Reasons

The Court accedes to the claims dated 11th July 1958 by—

1. The Hellenic Association for the Protection of Intellectual Property, whose registered offices are in Athens;

2. The Hellenic Society of Composers, Authors and Publishers (ESSE), whose registered offices are in Athens, both being legally represented.

The Court enjoins the transmission by the National Broadcasting Institute of the musical compositions of the composer Grigorios Constantinides and the authors Pan. Papadoukas, Jean Hidiroglou (Paul Menestrel) and Const. Kofiniotis, members of the plaintiff societies.

Athens, 5th August 1958
The Procurator :
Pan. Arsenis "

It is not known whether the defendant Institute has entered an appeal from the above judgment.

BOOK REVIEWS

Aktuelles Filmrecht. Schriftenreihe der UFITA, Heft 11. Verlag für Angewandte Wissenschaften, Baden-Baden, 1958.

The editor-in-chief of the UFITA magazine, Dr. Georg Roeber, whose rewarding enterprises have frequently been commended in these columns, is more and more making his mark as a specialist in motion picture law. To the already long list of publications on the subject which have appeared either in the magazine or in the collection of monographs of which he is one of the authors he has recently added a collection of four lectures presented at the Munich Film Institute in April 1958, another achievement due to his spirit of enterprise.

These papers have as their themes the legal topics of the day in the German motion picture industry. Naturally enough the framing of a new act on the subject of copyright is going to make the legislator wonder who will benefit by the protection he will institute for cinematographic works. Professor **Ernst E. Hirsch,** of the Free University of Berlin, was commissioned to express his views on this point, and it was to be expected that this thinker who shuns the beaten track would come up with a very searching dissertation on the subject. Professor Hirsch is first and foremost a learned legal theorist, but he can also lay claim to the attributes of the practising lawyer, for was not the new Turkish Copyright Act of 1951 largely his work ? (Professor Hirsch was for a time a professor at the University of Istanbul.) What is striking in this jurisconsult is his total independence of all theories and all schools of thought, and a kind of philosophical detachment even to the subject in hand. He is the natural opponent of all the starry-eyed twaddle that one sometimes hears on the subject of *droit moral* as being an affirmation of the intrinsic dignity of the creative mind, and I must confess that I find it refreshing to encounter a more modest approach, minus all the preening. Professor Hirsch does not begrudge writers, composers and artists the measure of esteem and often admiration that is their due, but he does think that once the work has been brought to the public by one or other of the communication media (e.g. the publishing of copies, broadcasting over the air, or performance) the public at large acquires rights which cannot be defeated by the author without the strong arm of the legislature behind him. Unless I am mistaken this is the first time anyone has mooted the ingenious idea that copyright tends to rarefy the goods on offer (in this case the works) in order to keep up the price. This notion runs counter to the theory of copyright as a factor making for wider circulation of intellectual works. One has to admit that Professor Hirsch is not deceived by high-falutin' language. I feel he is right, in the abstract; but it can also be retorted that *in concreto* the increasingly extensive practice of assigning various constituents of copyright to collecting societies may nevertheless facilitate more widespread and efficient business use of works. The result is that copyright may at once be a brake on the unrestrained propagation of works and a means of channelling the utilisation of works so as to secure the best return on them.

In the field of motion pictures the discussion is mainly centred around the question of who should be deemed to be the author of a cinematographic work. Here, too, Professor Hirsch will make his readers sit up, and perhaps dismay some of them, by his somewhat unconventional remarks. If I understand him aright, his idea is to give the legal status of film authorship to the producer as such, who may be in some cases a limited company. By this I do not mean to say that Hirsch denies the contributions made by a whole series of associates who qualify and rank as joint authors (the scenario writer, the writer of the dialogue, the director or the composer, for instance); what he does is to plump for the person who ultimately bears the burden of the overall work and he assigns this role to the producer, i.e. the film maker. Arguing from there he takes the view that the producer is the normal person in whom the copyright should vest. If the producer is a limited company, it will act as the source of funds, the only task within its power, whereas if the producer is an individual he will also be capable of creative activity as well.

The gist of the whole matter is this : will the film maker's right be an original or a derived right ? There could be no controversy about a derived right acquired by a process of assignment. I rather fancy, however, that Professor Hirsch is flirting with the " original right " approach. He argues by means of a distinction. It is true, he says, that a work is necessarily the product of a physical person, a brain, an artistic feeling finding expression in books, musical composition, drawing, painting, and so on. It would therefore be absurd to state that a limited company could be the author of a play, an opera or a film. But this absurdity must not lead us to maintain that it would be equally absurd to grant a legal person or corporate body the original copyright in a work (which it had not created). True, copyright was instituted for the author's benefit, and since the author can only be a physical person or individual, it is logical that the copyright should vest in the author from the outset. This is the natural conclusion, to which Professor Hirsch thinks it is nevertheless permissible to make exceptions in specific cases. He is right in saying that it is not impossible to vest a right in a limited company. The problem is simply this—in which circumstances is it proper to allow the special rule of attribution of authorship to some other initial holder to take precedence over the normal rule of copyright vesting *ab origine* in the author ? Professor Hirsch is of the opinion that the deciding factor in the grant of copyright is responsibility. The person assuming responsibility for the work should have the benefit of the

copyright, in view of the burden he assumes vis-à-vis the public. If, for example, the operator of a photographic firm takes a landscape or makes a portrait in the course of his employment, copyright in the photographic work arises in the firm, which is reasonable enough, since the author's label identifies the photo to prospective clients, and if the firm obtains an advantage in this way, it has bought it in a sense with the economic security given to the employee. This is the course adopted in the Turkish Copyright Act, which was drafted by Professor Hirsch anyway. We may also mention the hypothesis provided for in Article 393 of the Swiss Federal Code of Obligations : when one or several authors undertake to compose a work in accordance with a plan supplied by the publisher, the copyright vests in the publisher.

In the case of the film maker who does nothing in the film but put up the money it might perhaps be thought that giving the copyright to the representative of Mammon is an undue concession to materialism. This is not necessarily so, for the producer's risk is a large one when compared with that of the joint authors of the film. And the fact of being ready to lose a fortune if the work is a flop requires a certain amount of " guts ". (We may recall that some of Stroheim's films were complete failures.) Against this argument one can point to the Copyright Charter, in paragraph 6 of which the International Confederation of Authors' and Composers' Societies proclaims that a legal person (or corporate body) can never be considered as being the original owner of copyright in an intellectual work, because the justification for the right resides in the act of intellectual creation which only a physical person, the author, can perform. The one thing that is absolutely impossible and alien to the nature of things is that a company can produce a work. It follows that, by and large, copyright must arise in the person of the author, but it is not an unavoidable necessity. If he is so minded the lawmaker may grant the original copyright to a person who is not the author; that will depend on his personal judgment, whereas it does not depend on his personal judgment to change the very nature of things. Professor Hirsch has brought out this distinction very clearly, and he deserves our thanks for doing so.

The fact remains that the link between copyright and the act of creation, on which the Copyright Charter rightly lays so much stress, should not be broken without some good reason. Professor Hirsch appears to favour this breach when responsibility for the work is borne by a person who is not the author (this being the case of the film producer who is always heavily involved financially). I do not deny the correctness of such an observation; I merely shrink before the consequences. On the whole I think I should like the principle set forth by the CISAC to be observed, even where exceptions have something to be said in their favour. Could not Professor Hirsch be satisfied with the system of the *cessio legis ?* What matters is not so much the original character of the copyright vesting in moral persons as a simple regulation of the relations with the users when the authors of a work together form a working partnership. All that is needed in such a case is to have the copyright pass by operation of law to the authorised agent representing the creative artists in their dealings with the public at large. It would hardly be a serious drawback (if you like this term) to have a term of protection *post mortem auctoris*, since the original holders of the copyright would be natural persons. The French Act of 11th March 1957 on literary and artistic property makes broad provision in Article 17 for the *cessio legis :* the contract between the authors of the film and the film maker or producer gives the latter the exclusive right of exhibition in cinemas, unless there is any agreement to the contrary. How will this provision work out in practice ? We shall soon see, but at first glance it seems a sensible idea.

In addition to Professor Hirsch, three of his University colleagues have focused their attention on some other legal problems of the cinema. Professor **Heinrich Hubmann,** of Erlangen, discusses how and to what extent real characters can be put into a film. **Friedrich Giese,** who before his death was a professor at Frankfurt-am-Main, deals with the rather delicate subject of film censorship, which is prohibited in Federal Germany as an official preventive control, but which no properly ordered society could dispense with altogether. Lastly, Mr. **Carl Hænsel,** who is a professor at Tübingen, has written an article on the new German society known as *WORT* for the collection of the rights in the public recitation of literary works. This expression " recitation " means the uses which parallel the performance of musical works, and consequently also the act of causing the public to hear the spoken part of a film. Space prevents us from examining these contributions, which in general are more specifically German in scope than Dr. Hirsch's paper, though this does not mean to say that they are of lesser interest. They contain a host of useful information and very detailed analyses. The preface by Mr. **Theodor Maunz,** the Bavarian Minister of Education and Religious Affairs, lends added authority to this collection, the conciseness and clear thinking of which set each other off admirably. B. M.

30 Jahre Musikalisches Tantiemerecht in Deutschland, Erkämpftes und Erreichtes, by Dr. Georg Roeber. Verlag für Angewandte Wissenschaften, Baden-Baden, 1958.

We are indebted to Dr. Georg Roeber and his prolific pen on copyright matters for a kind of general survey of what has been done to put musical copyright on a business basis in Germany. Not musical copyright in general; Dr. Roeber gives an inkling of what he has in mind by his use of the word " *Tantiemerecht* "—the right to royalties—and this word is in fact the keynote of the book. Dr. Roeber is not concerned with the composer's right to publish the work in a sheet music edition or through the issue of gramophone records; it is the performing right that claims his interest, on account of the manifold occasions when that right is brought into play—so often, in fact, that for the author

to think of controlling it in person would be downright fanciful, to say the least. The enforcement of performing rights has thus devolved upon the authors' societies which with their collection machinery are able to canalise the vast majority of the sources of income that flow from public concerts and other public performances of musical works and prevent a good proportion of them from trickling away. This intervention of the profession as such to act in the isolated author's stead has brought about a standardisation of the fees, this being the connotation of the term " *tantième* " or royalty.

The royalty, the most modern aspect of copyright, endeavours to conciliate as best it may the author's powers over his work and the expectation of the general public to be able to take advantage of the intellectual creations on the market (musical compositions, in the case in point). It must be conceded that this balance implies a certain relinquishment of sovereignty on the author's part, just as in any other enterprise where enhanced collective efficiency and greater individual security must be paid for by certain inroads upon freedom. And anyway the composer can always exercise the performing right himself, if he is so minded. In this sense he remains sovereign. But it is sovereignty in name only, for nowadays the musical life has the whole world as its parish, which is reason enough why the composer cannot be without an intermediary between himself and this infinitely variegated public. Dr. Roeber deftly traces the history of this course of events, and shows how it is now overspilling the banks of music alone into other fields; a society has already been set up in Germany to collect literary fees, and if the *droit de suite*—the artist's right to a percentage of the prices his works realise at public auction—and maybe the right of hire in books made available through the lending libraries were to materialise, other societies would probably spring up and get themselves assigned these new ways of turning a work to account. It must therefore be expected that the regulation royalty system will steadily supplant the agreements between the author himself and the users of his works.

The operative word here is " regulation ". To be sure, the novelty is not that the author receives some particular " cut " of the trading profits, because a deal of that sort can be worked out without the aid of a society. But the standardisation of tariffs, on the other hand, does presuppose that all rights should be placed in trust with an organisation having authority to issue licences for use in the name of the authors. The whole process is but another aspect of a more widespread phenomenon, that of the mass civilisation in which humanity is now caught up. Scientific research nowadays is conducted in institutes for that very purpose. Indeed, what is the Pentagon in Washington but a vast laboratory, churning out military defence plans and inventions on an industrial scale? And when we consider human activity mainly from the viewpoint of literary and artistic creation, we observe that in the course of the twentieth century the latter has taken on a new form which the historian cannot overlook; in the eyes of our posterity cinematographic works will certainly be basic reference material in their appraisal of our values and our aesthetics. And it so happens that one of the essential peculiarities of the motion picture is that it is the work of several hands. The credit titles of the average reel (I have in mind *La Vie à deux*, by Sacha Guitry) besides the actors contain a listing of about 20 names, people associated with the making of the work in some way, either as joint authors or as technical assistants whose contribution would hardly make the grade as creative work. On every side we encounter this same phenomenon of teamwork and group activity.

Where it comes into its own most of all is in the organisational field, where the capabilities of the individual are simply not up to the complexity of modern life and are unable to cope with it. It is not to be wondered at, therefore, that the levying of musical copyright fees, i.e. the enforcement of a prerogative that is potentially applicable throughout the world, should constitute one of the most striking successes of our more advanced approaches to work. For the composer it means the optimum return on his performing right, though at the cost of some freedom of negotiation. After all, the collection society cannot tailor its terms to fit the individual licensee; it will apply its tariffs, and though these may vary according to the category of the work performed they will not vary according to the reputation of the composer. Thus the exclusive right conferred by law is no longer altogether intact. To those who feel this is a pity, the answer is that *à l'impossible nul n'est tenu*. The necessary acceptance of the tariff by the composer has another consequence, too, that of depriving him of the faculty of refusing. Even in cases where a collecting society is not bound by its rules to issue licences to users who tender the appropriate fee, it will not escape in practice from this corollary of its monopoly position. In this way the author has to put up with a second inroad on his freedom; no longer can he prohibit performance for no reason at all, by an act of sovereign will, like some despot who is answerable to no man. (And he should be able to strike this pose if he is so minded, if he is really invested with an exclusive right.) In practical terms there are so many concerts going on here, there and everywhere that the prior consent (or refusal) of the composer has become something of a figment of the imagination. For their part the users of musical works in Germany have set up a vast apex organization as the counter-part to the collecting society, so that the group has ousted the individual on both sides of the line.

Dr. Roeber retraces with an expert and knowledgeable pen this substitution that has occurred within the frontiers of his country. Elsewhere events have been moving in the same direction, drawing copyright out of the field of individual improvisation towards the universal solutions prepared in advance by the profession as a whole.

B. M.

E.B.U. ACTIVITIES

MEMBERSHIP OF THE ADMINISTRATIVE COUNCIL IN 1959

As a result of the elections at the General Assembly in Munich, membership of the Administrative Council of the Union is as follows :

President : Sir Ian JACOB, K.B.E., C.B. (BBC)

Vice-Presidents : Mr. E. SUNDSTRÖM (Oy. Yleisradio Ab.)
Mr. C. CHAVANON (RTF)

Administrators	*Alternates*
Dr. K. CEJKA	Mr. W. FÜCHSL
(Österreichischer Rundfunk Ges.m.b.H.)	
Mr. BOON	
(INR—NIR)	
Mr. F. E. JENSEN	Mr. E. JENSEN
(Statsradiofonien)	
—	Mr. C. BONAMI
(RTF)	
Prof. F. BISCHOFF [1]	Dr. H. BRACK
(ARD)	
Mr. M. RODINO	Mr. G. ZAFFRANI
(RAI)	
Mr. M. BEZENÇON	Mr. R. ROSSI
(SSR)	
—	Mr. C. CONNER
(BBC)	

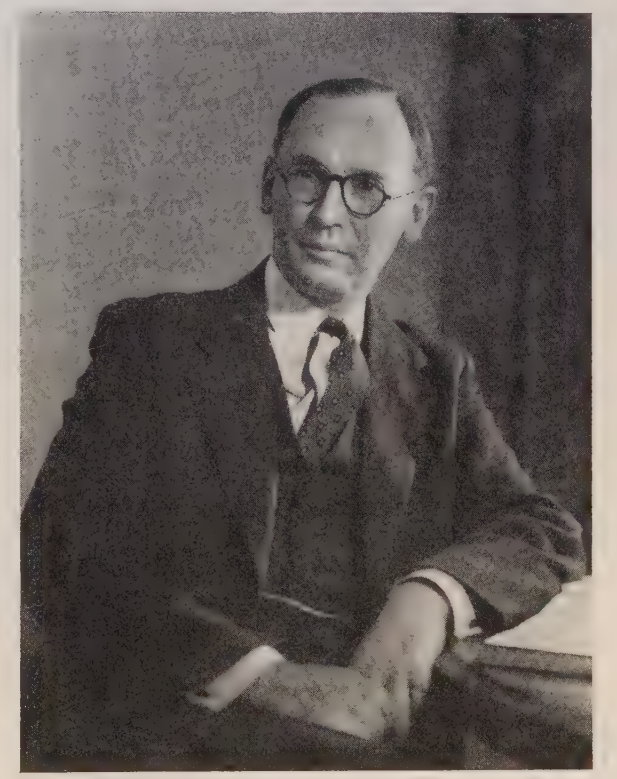
NINETEENTH MEETING OF THE ADMINISTRATIVE COUNCIL

The EBU Administrative Council met in Geneva at the headquarters of the Union on 25th and 27th October 1958. After opening the meeting, the President, Sir Ian Jacob, paid tribute to the memory of Mr. Georges Conus, Vice-President and former President of the Union, who died suddenly of a heart attack on 22nd July 1958 while on holiday. Mr. Conus had devoted himself to the cause of international broadcasting and played a very important part in the creation of the European Broadcasting Union at Torquay in 1950. From the start, he had been a member of the Administrative Council, and was elected President of the Union at the end of 1952 for the years 1953 and 1954. He was appointed Vice-President three times and held this office at the time of his death.

[1] In the capacity of President of the ARD for 1959.

The most important business on the agenda was the preparation of the extraordinary session of the General Assembly, convened for the purpose of revising the Statutes, as well as the ordinary session.

Mr. E.L.E. Pawley presented the report of the Technical Committee drawn up after the 10th session in Wiesbaden (see *EBU Review*, No. 52*a*, page 47). To enable the Technical Centre to extend the scope of its work, the Council authorized it to engage another engineer and shorthand-typist.

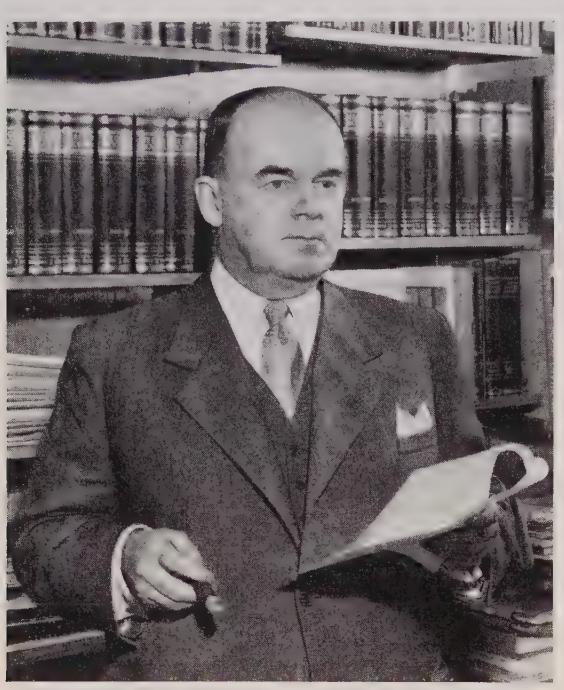


Sir Ian Jacob, K.B.E., C.B.

Mr. M. Bezençon commented on the report of the Programme Committee, dealing among other things with broadcasts of sporting events, exchanges of filmed material, and Eurovision transmissions. For a full report of the 6th session of the Programme Committee, see *EBU Review* No. 52*b*, page 39.

The report of the Legal Committee was presented by Mr. M. Lenoble, who dealt with such questions as the circulation of television films, ancillary rights, and legal

problems connected with Eurovision and relays of sporting events. In the case of certain of these questions, the Legal and Programme Committees combined forces and coordinated their efforts. This was becoming necessary in view of the increasing complexity of the problems requiring to be solved. A report on the work of the Legal Committee will be found in *EBU Review* No. 52*b*, page 38.



(Photo Pietinen)

Mr. Einar Sundström.

After settling a number of financial and administrative questions, the Administrative Council thanked the Directors, the Legal Adviser and the staff of the Union for the excellent work done throughout the past year and before closing the meeting accepted the invitation from the RAI to hold its 20th Meeting in Rome from 29th May to 1st June 1959.

NINTH ORDINARY SESSION OF THE GENERAL ASSEMBLY

This session was held in the Maximilianeum in Munich on 21st and 24th November 1958 at the kind invitation of the ARD and was chaired by the President, Sir Ian Jacob, assisted by Mr. C. Gilliéron, Secretary-General. Twenty-two active and five associate member organisations were represented and Mr. L.W. Hayes, Vice-Director of the CCIR, was present as an observer on behalf of the International Telecommunication Union (ITU). The latter assured the delegates of the importance which the ITU attached to the work of the Union in furthering the interests of broadcasting which was one of the most highly developed aspects of telecommunications and one that was still rapidly developing.

The ITU is preparing to convene in 1959 its large radio conference which, among other things, will have to revise the table of frequency band allocations to the various services. The cooperation of broadcasters will be most useful and much appreciated in obtaining a new table of frequency band allocations that will give full satisfaction.

The ordinary session of the General Assembly had been preceded by an extraordinary session convened to study the question of the revision of the Union's Statutes. A further extraordinary session will have to be convened to bring the work of revision to a conclusion as certain Articles will require to be re-examined by an ad hoc study group.

The Assembly discharged the Council from responsibility for its management and approved the reports presented by the Presidents of the Technical, Legal and Programme Committees, Mr. E.L.E. Pawley, Mr. M. Lenoble and Mr. M. Bezençon. It noted with satisfaction the value of the work done by the Union for its members and the continued expansion of sound and television broadcasting. Participants at this session were interested to learn of the admission of a new associate member, the Ghana Broadcasting System, and of the organisation of a conference of EBU members interested in advertising.

(RTF-Photo Joyeux)

Mr. Christian Chavanon.

The President paid tribute to the memory of Mr. Conus, Vice-President at the time of his death. He also expressed his gratitude to the retiring Vice-President, Mr. Daumard, for the work he had done for the Union. Both had

rendered particularly valuable service to the Union since its creation at Torquay and the Assembly was unanimous in expressing its appreciation.

The statutory elections were held at this session and the members of the Administrative Council, as well as the President, Sir Ian Jacob, and the Vice-Presidents, Mr. Sundström and Mr. Chavanon, were warmly applauded. Membership of the Administrative Council for 1959 is shown above.

The General Assembly decided to accept the invitation of the Radiodiffusion Nationale Marocaine and hold its 10th ordinary session in Morocco from 4th to 7th December 1959.

EXCHANGE OF NEWS FILM ON EUROVISION

Following the recent meetings of the " Rengelink Group " in Rome and Amsterdam, it has been decided that further experimental exchanges of news film will be carried out in May between members of the Union.

A meeting of the Bureau of the E.B.U. Legal Committee at Turin last May.

THE LEGAL COMMITTEE

OF THE EUROPEAN BROADCASTING UNION *

by E. C. ROBBINS

The Solicitor, BBC

The activities of the EBU Legal Committee do not receive much publicity and as a result they are perhaps less understood than those of the Programme and Technical Committees. If, however, one looks back over the last eight years since the EBU was established in 1950, it is clear that the Legal Committee has made a substantial contribution to international broadcasting and the value of this contribution is likely to increase still more in the future.

The Chairman of the Legal Committee is M. Maurice Lenoble of Paris, who is the Director of General Services of Radiodiffusion-Télévision Française, and there are two Vice-Chairmen, Professor Paolo Greco of Turin, who is the legal adviser to Radiotelevisione Italiana, and Dr. Hans Brack of Cologne, who is the legal adviser to Westdeutscher Rundfunk.

The full Legal Committee only meets once a year and between meetings the continuity of its business is ensured by a Bureau of nine members which is in effect the permanent working party of the Legal Committee. The Bureau at the present time consists of representatives from the member organizations of the following countries: Belgium, Denmark, France, Germany, Holland, Italy, Switzerland, United Kingdom, and Yugoslavia. The writer has represented the BBC on the Bureau since its first meeting at Torquay in March 1950. A Bureau of this size was found to be necessary in order to ensure that it was fully informed on the various legal systems existing in member countries. The Bureau usually meets twice a year but additional meetings are sometimes necessary to deal with urgent matters. Smaller working parties are appointed from the Bureau for particular

* This article, which has been slightly cut, is reprinted from the December issue of *Ariel*, the staff magazine of the BBC, by kind permission of the editor and of Mr. E. C. Robbins.

subjects and the Bureau also provides the delegations to represent the Legal Committee at international conferences and at meetings with other international organizations.

The Legal Committee is in close relations with many governmental and inter-governmental bodies. The individual members of the Legal Committee are in touch with the appropriate government departments in their respective countries (e.g. the Board of Trade which looks after copyright matters in the United Kingdom) and the Legal Committee itself maintains a continuing contact with such inter-governmental bodies as the Berne Copyright Union, the Council of Europe, the International Labour Office, and Unesco. The Legal Committee also maintains similar contacts with other non-governmental organizations such as the International Confederation of Societies of Authors and Composers, the International Federation of the Phonographic Industry, and the three International Federations of Actors, Musicians, and Variety Artistes. These contacts are made formally by means of *ad hoc* meetings to discuss particular subjects or periodical meetings of standing joint committees or informally by conversations between the Secretary of the Legal Committee and the appropriate officials of the organization concerned.

The differences of law as between one member country and another constitute a serious complication for the work of the Legal Committee, as it is always necessary to ensure that a proposed general solution does in fact suit the particular circumstances of individual member organizations. For instance, it has been found on occasion that a solution for a problem which was quite acceptable to the BBC on the basis of the flexible English Common Law was quite unsuitable for other member organizations in countries whose legislation is contained in more rigid continental codes or vice versa.

There is usually a lengthy agenda of matters to be discussed at meetings of the Legal Committee or the Bureau and priority is given to questions of practical importance rather than those of academic interest. The majority of the legal problems discussed by the Legal Committee naturally relate to new developments of television, but problems relating to sound broadcasting do still arise from time to time and it is for this reason that the Bureau includes a representative of Yugoslavia where there is only a sound broadcasting service at the present time. One of the principal subjects which has been under consideration by the Legal Committee for several years is an international convention to regulate the respective rights of broadcasting organizations, record manufacturers, and artists. The complexity and number of the interests involved have necessitated lengthy discussions in the Legal Committee and also with other bodies concerned in the matter, such as the Berne Copyright Union and the I.L.O. Another subject of considerable practical importance is the international circulation of television films and the Legal Committee is taking an active part in the preparation of a draft international convention on this subject which is being sponsored by the Council of Europe [1].

The legal problems of Eurovision have received much attention from the Legal Committee and it was responsible for the conduct of the long and at times difficult negotiations with the three International Federations of Actors, Musicians, and Variety Artistes as to the terms on which Eurovision relays might be given of performances by members of these Federations. The negotiations resulted in the completion of an international agreement between the EBU and the Federations which has been supplemented by national agreements in the member countries (e.g. between the BBC and the Musicians' Union) on lines recommended by the Legal Committee.

Other subjects of topical interest which have been under recent consideration by the Legal Committee have been programme exchanges with Eastern European countries and international relays of sporting events with particular reference to the Olympic Games.

The Legal Committee keeps a close watch on pending legislation affecting copyright, contractual, and other legal matters, and member organizations are given guidance and advice to ensure that such legislation should so far as possible be kept in line with the general policy adopted by the Legal Committee. Similar assistance is given where a member organization is involved in litigation on a matter which may have implications for other EBU members.

[1] As has been pointed out on page 16 above, this diplomatic instrument was signed in Paris on 15th December 1958.

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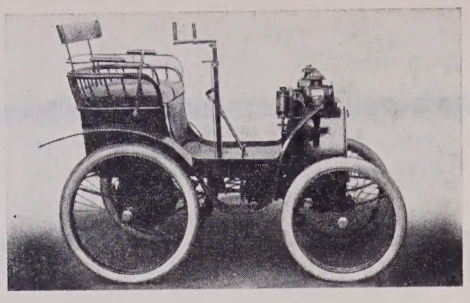
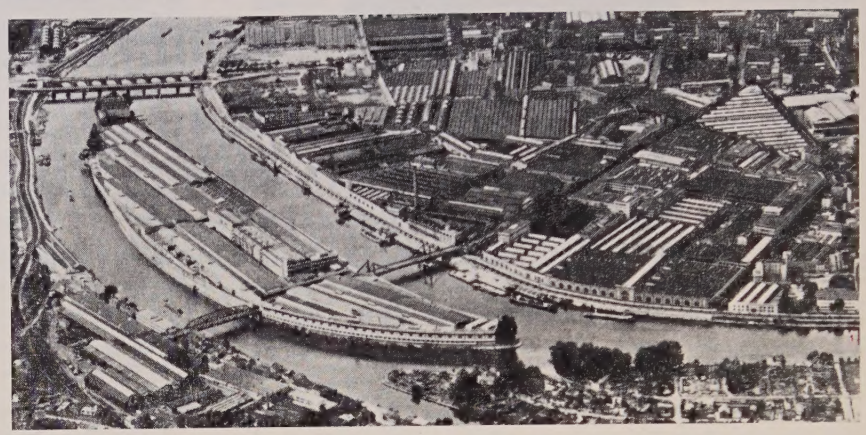
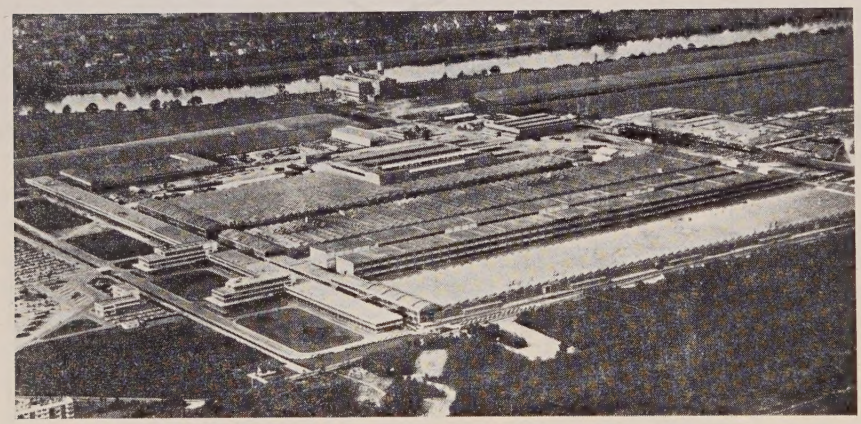


RENAULT



Facts about Renault



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Directorate : Centre International, 1, rue de Varembé, Geneva, Switzerland
Telephone : 33 74 60 - Telegrams : Uniradio Geneva - Telex : 22 230 Geneva

TECHNICAL CENTRE

Directorate : 4, rue de la Vallée, Brussels - Telephone : 47.98.57
Telegraphic address : Uniradio Brussels - Telex : 02.230 Brussels

Receiving and Measuring Station - Jurbise-Masnuy (Hainaut), Belgium

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Imprimerie du « Journal de Genève »

E. B. U. Review
Part B - General and Legal

Price: 3 Swiss francs